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VOLUME SEVEN

MARYLAND

GEOLOGICAL SURVEY

VOLUME SEVEN

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1909

COMMISSION

AUSTIN L. CROTHERS, ... PRESIDENT.

GOVERNOR OF MARYLAND.

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PRESIDENT OF THE JOHNS HOPKINS UNIVERSITY.

R. W. SILVESTER, ... SECRETARY.

PRESIDENT MARYLAND AGRICULTURAL COLLEGE.

LETTER OF TRANSMITTAL

To His Excellency AUSTIN L. CROTHERS,

Governor of Maryland and President of the Geological Survey Commission,

Sir: I have the honor to present herewith the seventh volume of the general reports of the Maryland Geological Survey. Unlike those which have preceded it, this volume is devoted to a single subject, the resurvey of the historic Mason and Dixon line, the official boundary between Maryland and Pennsylvania. The need of the resurvey of this line and the accuracy with which the old boundary has been marked are fully set forth in the report of the engineer while the history of the old controversy and the list of documents appended render the volume of historic value. The fact that the Commonwealth of Pennsylvania in issuing its account uses the same manuscript makes this unique as the first joint publication on this controverted question since the inception of the controversy in 1681. I am,

Very respectfully,

WM. BULLOCK CLARK,
State Geologist.

JOHNS HOPKINS UNIVERSITY,
BALTIMORE, *June* 1, 1908.

M

[illegible]

REPORT

ON THE

RESURVEY

OF THE

MARYLAND-PENNSYLVANIA BOUNDARY

PART OF

THE MASON AND DIXON LINE

AUTHORIZED BY THE LEGISLATURES OF
MARYLAND AND PENNSYLVANIA

MASON AND DIXON LINE RESURVEY COMMISSION

O. H. TITTMAN, ... CHAIRMAN.

SUPERINTENDENT U. S. COAST AND GEODETIC SURVEY.

WM. BULLOCK CLARK, ... SECRETARY.

STATE GEOLOGIST, COMMISSIONER FOR THE STATE OF MARYLAND.

ISAAC B. BROWN, ...

SECRETARY INTERNAL AFFAIRS, COMMISSIONER FOR THE STATE OF PENNSYLVANIA.

EDWARD B. MATHEWS, ... EDITOR.

ASSISTANT STATE GEOLOGIST OF MARYLAND.

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PREFACE.

The present volume records the work of the Commission, appointed by authority of the Legislatures of Maryland and Pennsylvania, in the resurvey of the boundary between the two States, commonly known as the Mason and Dixon line. The present resurvey embraces only that portion of the original line between the eastern and western limits of Maryland and does not include that part of the original work of Messrs. Mason and Dixon which now marks the boundary between Pennsylvania and West Virginia. The line between Maryland and Delaware which also was run by the original surveyors has not been included in the work of the resurvey although many of the original monuments have disappeared or are now out of place and early provision should be made for its remarking.

The *Report on the Work of the Commission* by Wm. Bullock Clark, *Secretary,* is a statement of the various acts taken by the Commissioners in their performance of the duties entrusted to them. It narrates the Acts under which the work was undertaken and recites the essential incidents of the meetings of the Commissioners.

The *Report of the Engineer in Charge of the Resurvey of the Boundary between Maryland and Pennsylvania, part of the Mason and Dixon Line,* by W. C. Hodgkins, is devoted to a discussion of the original survey made by Messrs. Mason and Dixon during the years 1763-1768 and includes the republication of such items from the original field notes as are essential to the understanding of the more recent work. The second portion of this report relates directly to the resurvey of the boundary line, states the condition in which the line was found, the peculiar distribution of the stones originally intended as markers on the Mason and Dixon line, and the methods employed in the resurvey for locating on the ground the position of the old line. The report is illustrated by a series of 69 plates representing the location of the buildings, fences, roads, and timber lines with reference to the boundary line between the States of Maryland and Pennsylvania.

The *History of the Boundary Dispute between the Baltimores and Penns resulting in the Original Mason and Dixon Line,* by Edward Bennett Mathews, is an exhaustive account of the interesting history of events which preceded the marking of the original line. The controversy is, perhaps, the most extensive and interesting of any arising from territorial disputes in America. The fact that the adjoining provinces were owned by two families, to whom the inhabitants looked for the titles to their lands and toward whom their loyalty often led them to extreme acts, makes the controversy sharper and the feelings more personal than they would otherwise have been. The contestants on each side were possessed of sufficient arguments to make them exceedingly tenacious of their rights and the long continuance of the controversy led them by frequent repetition of the same arguments to believe not only in the correctness of the claims originally put forth but also in the slightly increased claims which were made from time to time in the heat of argument. As the history shows, the most of the statements which have come down to the present are from partisan sources and must be interpreted with caution where the incidents are narrated by only a single contestant.

The history of the original line is brought down to the present day by brief accounts of the extension of the east-west line to the western limit of Pennsylvania and the subsequent resurveys of portions of the original work under Graham, Sinclair, and Hodgkins.

These narratives are based on the joint investigations of the original documents and literature of the subject by Messrs. Burchard and Mathews as described in the following paragraph.

The *Manuscripts and Publications relating to the Mason and Dixon Line and other Lines in Pennsylvania, Maryland, and the Virginias involving the Charter Rights of the Baltimores and Penns* by Edward L. Burchard and Edward Bennett Mathews is the joint work of the authors who have examined the archives at Harrisburg, Annapolis, Philadelphia, Newcastle, Wilmington and Dover; the original documents in the possession of the Pennsylvania Historical Society and the Maryland Historical Society and such scattered papers, maps, etc., as are found in the Congressional Library, the libraries of the U. S. Department of State and War, the U. S. Coast

and Geodetic Survey and the prominent libraries in the cities of the eastern States. Mr. Burchard when librarian of the Survey was detailed to this study in 1898 through the courtesy of the Superintendent of the U. S. Coast and Geodetic Survey and much work was done by him personally during his later connection with the Library of Congress. The results of this work were compiled in the form of a source book of records, et cetera, pertaining exclusively to surveys of the boundaries, giving bibliographic detail which it was subsequently found necessary to eliminate on account of the increasing bulk of the manuscript. During the course of editing and arranging the material in its present abbreviated form by the junior author many of the references have been verified and much additional matter, gained especially from further examination of the Calvert Papers, has been incorporated.

The chief sources of information outside of government archives regarding this historic controversy are found in the volumes of the Penn Manuscripts in the Pennsylvania Historical Society library and in the Calvert Papers of the Maryland Historical Society. The former in scattered form have been published in part in the Pennsylvania Archives, especially Volumes V, VII, and XVI of the second series. The present bibliography is, however, the first approaching completeness which has been issued.

The Commissioners wish herewith to express their appreciation of the many courtesies shown to them and to their representatives in the progress of the resurvey and especially for the bibliographic assistance furnished by the custodians in charge of the archives in the various libraries.

REPORT OF THE COMMISSION

To the General Assemblies of Maryland and Pennsylvania:

The undersigned Commissioners authorized by legislation of the respective States to ascertain and re-mark the boundary between Maryland and Pennsylvania, popularly known as the Mason and Dixon line, beg leave to submit the accompanying report and maps with the recommendation that the results of the survey be accepted and that the location of the stones as defined by this survey be confirmed as marking points on the boundary line between the States.

The Resurvey has not involved a relocation or correction of the original line as determined by the surveyors Mason and Dixon in the years 1763-1768, except at the points where the position of the line was in doubt. In such instances the monuments have been placed in accordance with the facts supplied by the original field notes of the surveyors.

The detailed account of the acts of the joint commissioners is given in the report herewith submitted.

January 25, 1907.

O. H. Tittmann

Chairman.

Superintendent U. S. Coast and Geodetic Survey.

Wm Bullock Clark

Secretary.

State Geologist of Maryland, Commissioner for State of Maryland.

Isaac B. Brown

Secretary Internal Affairs of Pennsylvania, Commissioner for State of Pennsylvania.

PART I

REPORT ON THE WORK OF THE COMMISSION

BY

WM. BULLOCK CLARK, *Secretary*

COMMISSIONER FOR MARYLAND

REPORT ON THE WORK OF THE COMMISSION

BY

WM. BULLOCK CLARK, *Secretary,*

COMMISSIONER FOR MARYLAND.

For many years prior to the resurvey of that portion of the Mason and Dixon line constituting the boundary between Pennsylvania and Maryland the location of a large number of the original monuments was in doubt, especially along the western portion of the line where rough heaps of stone that had been thrown up about the original wooden posts alone marked the State boundary. Even the stone monuments that had been placed along the line farther eastward had been in many instances mutilated or removed in the century and more since they had been set.

The attempt to locate the northern limits of the boundary line between Allegany and Garrett counties, Maryland, under an Act passed by the General Assembly of that State in 1898, clearly revealed the fact that many of the old monuments of Mason and Dixon had become obliterated and that a resurvey of the State boundary was necessary. Accordingly the State Geologist of Maryland, who had been authorized to survey the county boundary, addressed, at the suggestion of the then Governor of Maryland, a letter to the Superintendent of the U. S. Coast and Geodetic Survey, making inquiry as to what aid could be furnished by the Federal Government in case joint action were taken by Pennsylvania and Maryland in a resurvey of the common State boundary. The following letter was received in reply:

TREASURY DEPARTMENT.
OFFICE OF THE U. S. COAST AND GEODETIC SURVEY,
WASHINGTON, D. C.

November 7, 1898.

MR. WM. BULLOCK CLARK,
State Geologist, Baltimore, Md.

SIR:

In reply to your letter of November 3 relating to the relocation of marks on the Mason and Dixon line I have to state that in case

of united action of the two States interested, Pennsylvania and Maryland, and a joint request by them for the relocation of the boundary marks, this Survey will be pleased to undertake the work. The portion of the Mason and Dixon line from the Pennsylvania and West Virginia corner to the Maryland and Pennsylvania corner was thus resurveyed and remarked in 1885. This latter corner therefore is available and may serve as a starting point for your present work and any necessary data in relation to it can be furnished you by this office.

Respectfully yours,

O. H. TITTMANN,

Acting Superintendent.

On receipt of this letter a further communication was sent to the Superintendent of the U. S. Coast and Geodetic Survey asking for more detailed information as to the conditions under which that bureau would undertake that work and the probable cost to the States. The following reply was received:

TREASURY DEPARTMENT.
OFFICE OF THE U. S. COAST AND GEODETIC SURVEY,
WASHINGTON, D. C.

November 26, 1898.

MR. WM. BULLOCK CLARK,
State Geologist, Baltimore, Md.

SIR:

Your letter of November 8 has remained unanswered, pending a closer investigation into the condition of the boundary monuments of Mason's and Dixon's line, as far as it could be learned from existing documents. This evidence shows that the original plan of marking the line by stones, carefully cut and prepared in England, was not carried out. That instead, on the western portion other cut stones were planted and mounds of loose stones were piled around them; that subsequently many of the monuments were displaced, possibly by searchers after treasure. In all likelihood a great many will be found in place. To re-examine and re-establish the old line would be a task of some magnitude, but need not be a very expensive one. It should only be entrusted to persons versed in the higher branches of surveying, and acting under joint authority of the adjoining States. . . . . .

To repeat, it seems very necessary that there should be an examination of the condition of the boundary marks on Mason's and Dixon's line.

It would be most economical to combine, under joint State authority, with such an examination the replacing of old marks where necessary or the substitution of new ones where the old ones are in a state of decay. An engineer commission, with power to act, of three persons, one representing national and the other two the authority of the separate States, would seem to be ample. The result of their work could be submitted to the States concerned for legislative approval. . . . . .

I am not prepared to submit an estimate, because much would depend on circumstances, that is on the present condition of the marks, but should think that $10,000 would cover the cost. . . .

Respectfully yours,

HENRY S. PRITCHETT,
Superintendent.

The two letters were submitted to His Excellency Lloyd Lowndes, then Governor of Maryland, who at once took up correspondence with His Excellency Daniel Hastings, Governor of Pennsylvania. In a letter which reviewed the correspondence with the Superintendent of the U. S. Coast and Geodetic Survey Governor Lowndes said: "I would be glad to have your views as to the propriety of submitting the matter to the Legislature of your State at its next session with a view to the enactment of such legislation as may be deemed necessary to accomplish the object in view." The following letter was received in reply:

COMMONWEALTH OF PENNSYLVANIA
EXECUTIVE CHAMBER

HARRISBURG, January 5, 1899.

TO HIS EXCELLENCY, LLOYD LOWNDES,
Governor of Maryland.

SIR:

I beg to acknowledge the receipt of your letter of 31st ult. relating to the necessity for the re-location and re-establishment of the monuments of the Mason and Dixon line between the States of Maryland, West Virginia, and Pennsylvania. It will give me pleasure to co-operate in this matter.

Very respectfully,

DANIEL H. HASTINGS.

Hon. William A. Stone having been shortly after inaugurated Governor of Pennsylvania, negotiations were continued with him, the State Geologist of Maryland going to Harrisburg as the representative of Governor Lowndes to discuss the matter with Governor Stone and the Secretary of Internal Affairs of Pennsylvania under whose direction similar co-operative work had been conducted in recent years with other States. The following letter was also sent to Governor Stone:

EXECUTIVE DEPARTMENT.

ANNAPOLIS, MD., March 15, 1899.

HIS EXCELLENCY, WILLIAM A. STONE,
Governor of Pennsylvania.

SIR:

My attention has been called to the necessity for a re-location and re-establishment of the boundary monuments of the Mason and Dixon's Line between the States of Pennsylvania and Maryland.

Professor Wm. Bullock Clark, State Geologist of Maryland, who has made a careful study of the question and who has conferred several times with the Superintendent of the U. S. Coast and Geodetic Survey, informs me that $5,000 should be appropriated by each State to properly establish the old line. He adds that the re-location is really a matter of very great importance to the various land interests involved and that he would be very glad to co-operate with the representative from Pennsylvania with a view of having the line properly established under the joint supervision of the respective States and the United States.

I believe that it is important that the States of Pennsylvania and Maryland should co-operate in the re-establishment of the boundary monuments of the old Mason and Dixon's Line and I shall be glad to recommend to the next session of our General Assembly similar action on the part of the State of Maryland as that taken by the State of Pennsylvania.

I am, very respectfully,

LLOYD LOWNDES.

The Legislature of Pennsylvania shortly thereafter made provision for the resurvey of the line in the Appropriation Act relating to the Department of Internal Affairs in which it was provided "That Five Thousand Dollars of the sum herein appropriated shall not become available for the purpose indicated, unless the State of Maryland

shall make an appropriation of a similar amount for the examination, repair and resetting of the boundary line monuments along the Mason and Dixon line, and the establishment of said line when found necessary." This Act was approved May 13, 1899.

At the succeeding session of the General Assembly of Maryland the following Act was passed making provision for the work on behalf of the State of Maryland: " . . . . .; to the Commissioner on behalf of the State of Maryland to re-establish the boundary line between the States of Maryland and Pennsylvania the sum of five thousand dollars or so much thereof as may be necessary, said moneys to be paid upon proper vouchers to be submitted to the Comptroller, said Commissioner on behalf of the State of Maryland to be appointed by the Governor to co-operate with the Commissioner appointed on behalf of the State of Pennsylvania and the Superintendent of the U. S. Coast and Geodetic Survey in re-establishing said line." This Act was approved on April 12, 1900.

On June 6, 1900, His Excellency John Walter Smith, Governor of Maryland, appointed Dr. Wm. Bullock Clark, State Geologist, Commissioner on behalf of the State of Maryland.

The first meeting of the Commission was held at the office of the Superintendent of the U. S. Coast and Geodetic Survey in Washington, D. C., on Tuesday, July 17, 1900, at 9.30 A. M. There were present Dr. Henry S. Pritchett, Superintendent of the U. S. Coast and Geodetic Survey, representing the National Government; Major Isaac B. Brown, Deputy Secretary of Internal Affairs of Pennsylvania, representing the State of Pennsylvania; and Dr. Wm. Bullock Clark, State Geologist of Maryland, representing the State of Maryland. The meeting was organized by the election of Dr. Pritchett as chairman and Dr. Clark as secretary.

It was proposed by the Superintendent of the U. S. Coast and Geodetic Survey and accepted by the representatives of the two States that the resurvey of the line should be placed in the hands of Capt. W. C. Hodgkins of the U. S. Coast and Geodetic Survey who had already become familiar with the problems involved through his connection with the resurvey of the circular boundary between the States of Pennsylvania and Delaware.

It was further proposed by the Superintendent of the U. S. Coast and Geodetic Survey and accepted by the representatives of the two States, that Captain Hodgkins be detailed during the summer to examine carefully into the conditions of the monuments along the line and to report to the Commission regarding the same.

The Superintendent of the U. S. Coast and Geodetic Survey offered to detail Captain Hodgkins as the engineer in charge without any expense to the States prior to the actual starting of the survey, and subsequent to that time without any charge for his services, the States of Maryland and Pennsylvania after the organization of the survey to bear the field expenses of the entire party while engaged in the actual surveying, together with the per diem compensation of such field assistants as might be required and also the cost of the purchase and placing of the monuments. This offer was accepted.

It was proposed by Dr. Clark that Captain Hodgkins should proceed to Annapolis and Harrisburg and examine the old papers connected with the original survey and any other official records of the States of Maryland and Pennsylvania relating to the boundary. This proposition was accepted by the Commission.

It was also proposed by Dr. Clark and accepted by the Commission that Major Brown should draw up an agreement between the several parties interested which should be submitted to the Commissioners for their inspection, and, if found to be acceptable, should be signed by them as representatives of the National and State governments. The meeting adjourned subject to the call of the chairman.

Major Brown prepared the following agreement which was submitted to the members of the Commission and signed by them:

AGREEMENT for the Examination, Repair, Replacing and Erection of Monuments on the Boundary Line between the States of Pennsylvania and Maryland.

WHEREAS, The Act of the General Assembly of the Commonwealth of Pennsylvania, approved the 4th day of May, A. D. 1889, empowers and directs the Department of Internal Affairs of the said Commonwealth to co-operate with the proper authorities in adjoining States in the examination, repair and replacing of the boundary line monuments and in the resurvey of the boundary line between Pennsylvania and any adjoining State, and in conjunction with such authority in adjoining States to procure and erect new monuments whenever found necessary; and,

FIG. 1.—GRANITE MONUMENT (NO. 1) ERECTED IN 1849 BY COL. GRAHAM AT NORTHEAST CORNER OF MARYLAND.

FIG. 2.—NEW MONUMENT (NO. 160) OF 1902 IN ORIGINAL MOUND OF MASON AND DIXON (1766). MARTIN'S MOUNTAIN.

VIEWS OF MONUMENTS ALONG MASON AND DIXON LINE.

WHEREAS, Under Chapter 745 of the Enactments of 1900 of the General Assembly of the State of Maryland, and by virtue of appointment, made on the 6th day of June, 1900, by Hon. John Walter Smith, Governor of said State, Dr. William B. Clark is given similar power and direction with reference to the examination, repair and replacing of the monuments on the boundary line between the States of Pennsylvania and Maryland, known as the Mason and Dixon Line, and is also authorized to co-operate with the proper authorities in Pennsylvania in all matters pertaining to the examination, repairing and replacing of said monuments, and in the resurvey of said boundary line, and in the furnishing and erecting of new monuments when necessary; and,

WHEREAS, From satisfactory information it has been ascertained that several of the monuments located on the line between the States of Pennsylvania and Maryland, known as the Mason and Dixon Line, have been displaced, others partially mutilated or destroyed, and further, that in some of the mountain regions no monuments were ever erected (the line being marked only by stone heaps or earth mounds), from which it appears that the public interests in both States will be conserved by the examination, repair or replacing of the monuments now in position, and by the furnishing and erection of new monuments at points where none had ever been erected; and,

WHEREAS, Under the authority given in the State of Maryland, by the law referred to, direction is also given the Commissioner appointed from that State to co-operate with the Superintendent of the United States Coast and Geodetic Survey in the examination and repair of said monuments and the resurvey of said boundary line; and,

WHEREAS, A meeting was held in the city of Washington, D. C., on the 17th day of July, A. D. 1900, at which there were present Dr. H. S. Pritchett, Superintendent of the United States Coast and Geodetic Survey, Dr. William B. Clark, representing the State of Maryland, and Major Isaac B. Brown, Deputy Secretary of Internal Affairs, representing the State of Pennsylvania, at which it was agreed that the United States Coast and Geodetic Survey, under the direction of its Superintendent, Dr. H. S. Pritchett, should execute the work as authorized by the two States hereinbefore referred to;

THEREFORE, The undersigned acting in conformity with the authority as hereinbefore stated have agreed and by these presents do hereby agree on this ninth day of August, A. D. 1900, that the United States Coast and Geodetic Survey, under the direction of its Superintendent, Dr. H. S. Pritchett, be empowered and is hereby empowered to examine the boundary line monuments that mark the location of the boundary line between the States of Pennsylvania and Maryland, and shall, wherever monuments are found mutilated or displaced, exercise its discretion in the repair and replacing of such monuments; and wherever any of the monuments have been removed from their proper location and cannot be recovered, or where it shall be found that no monuments were ever erected at the points at which it is clear that they were intended to be placed by Mason and Dixon, who surveyed and established said boundary line, then it is agreed that new monuments shall

be procured and erected at the proper positions; and the necessary authority is hereby conferred to make effectual this agreement.

IT IS FURTHER AGREED, That all surveying, expense or work is hereby authorized which in the opinion of the Superintendent of the said Coast and Geodetic Survey shall be necessary to make effectual the laws of the two States in interest, with reference to the erection of monuments in the place of those which may have been removed, or in determining the location of those to be erected where none have heretofore been erected.

IT IS FURTHER AGREED, That if any of the monuments can now be found which were prepared to mark the location of the line, but which were never placed in position, all legal means possible shall be employed to secure possession of such monuments and have them properly erected instead of procuring new ones.

IT IS FURTHER UNDERSTOOD AND AGREED, That the duties imposed by the laws herein referred to and conferred under this agreement shall be discharged as speedily as practicable, or as may be consistant with a proper execution of the work provided for.

IT IS FURTHER UNDERSTOOD AND AGREED, That all services rendered by the Superintendent of the said United States Coast and Geodetic Survey, or by those designated under his authority, shall be rendered without cost to either of the States that are parties to this agreement; but all necessary expenses incurred in prosecuting the work, including commutation of subsistence and travelling expenses of the Coast and Geodetic Survey officer engaged on the work, or in furnishing necessary materials, shall be borne equally by the two States in interest; said expenses to be accounted for in verified vouchers, and so far as practicable supplemented by receipted vouchers from parties to whom disbursements have been made, and duplicate vouchers furnished, one for each State.

IT IS FURTHER UNDERSTOOD AND AGREED, That such Assistant Surveyors may be employed to act with the representatives of the United States Coast and Geodetic Survey as shall be agreed upon by the parties representing the two States in interest; their compensation to be agreed upon and borne by the two States, respectively.

IT IS UNDERSTOOD AND AGREED, That upon the completion of the duties imposed by the law authorizing the examination of the boundary line monuments and the resurvey of the boundary line, the Superintendent of the United States Coast and Geodetic Survey shall make, or cause to be made, a report in duplicate for the approval of the parties representing the two States in interest, and that said report shall embrace the details of all the work done upon the said boundary line or its monuments, and *inter alia* shall show the condition of the monuments, fully describe the character and location of the new ones, and shall include any other matter that in the opinion of the said Superintendent may be of interest to the people of Pennsylvania and Maryland.

IN TESTIMONY WHEREOF, James W. Latta, Secretary of Internal Affairs of Pennsylvania, has hereunto set his hand and caused the seal of said department to be affixed at Harrisburg on the tenth day of August, A. D., 1900; and

the said Dr. William B. Clark, for and on behalf of the State of Maryland, under the authority given him, has hereunto set his hand on the eleventh day of August, A. D., 1900.

JAMES W. LATTA,
[SEAL] *Secretary of Internal Affairs of Pennsylvania.*

WILLIAM B. CLARK,
[SEAL] *Commissioner, State of Maryland.*

OFFICE OF THE U. S. COAST AND GEODETIC SURVEY,

WASHINGTON, D. C., August 13, 1900.

Under the authority conferred by the act of the Legislature of the State of Maryland, and in compliance with the within agreement, made and entered into by and between the States of Pennsylvania and Maryland, I, H. S. Pritchett, for and in behalf of the United States Coast and Geodetic Survey, hereby agree, on the part of the said survey, to discharge the duties imposed by the laws with reference to the boundary line between the States of Pennsylvania and Maryland, and to execute the work skillfully and promptly.

HENRY S. PRITCHETT,
Superintendent United States Coast and Geodetic Survey.

A second meeting of the Commission was held at the office of the Superintendent of the U. S. Coast and Geodetic Survey in Washington on Saturday, September 29, 1900, at 10 o'clock A. M. There were present Dr. Henry S. Pritchett, Superintendent of the U. S. Coast and Geodetic Survey; General J. W. Latta, Secretary of Internal Affairs of Pennsylvania, representing the State of Pennsylvania; and Dr. Wm. Bullock Clark, State Geologist of Maryland, representing the State of Maryland. Capt. W. C. Hodgkins who had been designated by the Superintendent of the U. S. Coast and Geodetic Survey to take charge of the survey of the boundary line met with the Commissioners and explained to them the needs of the work. Authority was given to Captain Hodgkins to proceed at once with the survey and to employ such assistants as might be required in connection with the work. The meeting adjourned subject to the call of the chairman.

Captain Hodgkins commenced work at once and on November 15, 1900, submitted the following report:

MARKLEYSBURG, PA., November 15, 1900.

MR. O. H. TITTMANN,

Acting Superintendent, United States Coast and Geodetic Survey.

SIR:

I beg to submit the following brief statement of the plan for the re-location of the Mason and Dixon line and of the progress made up to the present time, with the request that you will furnish typewritten copies to the Commissioners of the two States.

For the purpose of the present survey, the boundary line between Pennsylvania and Maryland is naturally divided into two unequal portions, the eastern part being 132 miles in length and the western part just about half as long as the eastern; with the town of Hancock, Maryland, very near the junction of the two sections.

The eastern portion of 132 miles was originally marked by stone monuments at equal distances of one mile, and though about 20 per cent. of these stones have been destroyed or removed, their replacement will present no special difficulty.

The western portion of about 66 miles, owing to the great difficulty of transportation at that time, in the region traversed by the line, was marked by wooden posts cut on the spot and secured in place by mounds of earth or stone piles around them.

These posts have disappeared, but some of the mounds remain, although many have been destroyed by cultivation of the ground, by building of stone walls over them, by removal for road material, or by the erection of new structures. Enough of them, however, can be recovered to enable me to locate the old line with considerable precision.

As the mountainous section of this line has at present no permanent monuments, it seemed desirable to take up and complete the survey of this portion as the work will necessarily be more expensive than that further east and it will be well to get it out of the way first. As soon as I could arrange to take the field, I accordingly proceeded to Cumberland, Maryland, and began a hasty examination of the country along the boundary, between Wills Creek and the northwest corner of Maryland. Having acquainted myself with the roads and topographic features, and with the remaining boundary marks, I began work near the northwest corner of Maryland and am now working eastward.

The method followed is to range out a random transit line, approximately parallel to the boundary line, and only a short distance from it, and refer to this line by measured offsets all the marks of the old survey which can be found. This random line then becomes a base line from which additional points of the boundary may be interpolated at will. So far we have gone over about ten miles of country with our preliminary transit line and have reached the crossing of the National road.

FIG. 1.—GRANITE MONUMENT (NO. 222) ERECTED IN 1885 BY SINCLAIR AT NORTH END OF DEAKINS LINE TO MARK THE NORTHWEST CORNER OF MARYLAND. NOT ACCEPTED BY MARYLAND.

FIG. 2.—MONUMENT (NO. 223) ERECTED IN 1860 BY LT. MICHLER AT NORTH END OF MICHLER LINE TO MARK NORTHWEST CORNER OF MARYLAND. NOT ACCEPTED BY MARYLAND.

VIEWS OF MONUMENTS ALONG MASON AND DIXON LINE.

Since beginning the field work the weather, which before was pleasant, has become unfavorable with much rain and snow. It is my purpose on that account to close operations for the winter at as early a date as practicable to complete the work on this first section.

During the winter I can find time to determine the conditions on the eastern portion of the line and to formulate plans for the work in that section.

The question of the kind of boundary marks to be used has also to be considered. From an examination of some of the existing monuments which have suffered severely from the attacks of vandals, I am at present inclined toward the use of cast-iron monuments as likely to be more enduring.

Very respectfully,

W. C. HODGKINS,

Assistant.

The resurvey of the boundary occupied the time of Captain Hodgkins and his assistants during portions of 1901-1903, the last monument of the line being set in August, 1903, by Mr. R. H. Blain, the chief assistant to Captain Hodgkins. It was ultimately decided to employ, where the old marks were lost, stone monuments in place of iron as suggested by Captain Hodgkins in his preliminary report of November 15, 1900. These new monuments were made of magnesian marble from the quarry of the Beaver Dam Marble Company of Baltimore County. Many of the old monuments were discovered and reset. A number which had never been placed in position were found in western Washington County where they had been left by Mason and Dixon because of the difficulties of transporting them through the wilderness to their proper position on the line. Many of these unused monuments had become incorporated in buildings and walls and were in some instances secured with difficulty.

The fiftieth mile stone was found in the possession of the Maryland Historical Society in Baltimore to which organization it had been presented many years before. In view of the great historical interest attaching to this monument the Commission decided not to dispute the retention of this stone on consideration of a replica being furnished to the State. At the same time the Commission offered to the Pennsylvania Historical Society one of the displaced monuments on similar terms, which was accepted. The Commissioners

felt that they would be performing a public service by making the historical societies of the two States custodians for all time of these original monuments.

The preparation of his report on the results of the survey and the drawing of the detailed maps occupied Captain Hodgkins' time at intervals during 1904-1906.

The final meeting of the Commission was held at the office of the Superintendent of the U. S. Coast and Geodetic Survey in Washington on Friday, January 11, 1907, at 10 A. M. There were present Hon. O. H. Tittmann, Superintendent of the U. S. Coast and Geodetic Survey, representing the National Government; Maj. Isaac B. Brown, Secretary of Internal Affairs of Pennsylvania, representing the State of Pennsylvania; and Dr. Wm. Bullock Clark, State Geologist of Maryland, representing the State of Maryland.

It was proposed by Major Brown that the results of the survey made by Captain Hodgkins and his assistants be accepted by the Commission. This motion was unanimously adopted.

It was further proposed by Dr. Clark that authority be given to the Secretary to arrange for the preparation of a report for submission to the General Assemblies of Maryland and Pennsylvania which should be accompanied by chapters covering the proceedings of the Commission, the results of the resurvey, including the maps prepared by the surveyors, the history of events leading up to the original survey, and a bibliography of publications on that subject; and that such a report when finished be submitted to each member of the Commission for his approval and signature. This was unanimously adopted by the Commission. The Commission then adjourned subject to the call of the chairman.

The manuscript of the report having been completed, it was submitted on January 25, 1907, to the members of the Commission and was approved by them. The preparation and publication of the final report, accompanied by an historical account of the controversies settled by the running of the Mason and Dixon Line and a comprehensive bibliography of the documents and publications relating to the subject, were assigned to the editorial supervision of Professor Edward B. Mathews, Assistant State Geologist of Maryland.

PART II

REPORT OF THE ENGINEER IN CHARGE OF THE RESURVEY OF THE BOUNDARY BETWEEN MARYLAND AND PENNSYLVANIA, PART OF THE MASON AND DIXON LINE

BY

W. C. HODGKINS

following statements in regard to the beginning of their work are extracted from that paper.

Charles Mason and Jeremiah Dixon, employed by the proprietors to assist the commissioners of the two provinces in laying out the boundary, arrived at Philadelphia on November 15, 1763. On December first the commissioners met at Philadelphia and read the articles of agreement between the proprietors and the surveyors. They also made the necessary arrangements with the latter for the conduct of the work.

In the journal kept by Mason and Dixon, it is noted that from November 16 to December 18 they were occupied in attending on the commissioners, unpacking and setting up instruments, building an observatory, and waiting for clear nights. They began their observations for the latitude of the most southern point of the city of Philadelphia on December 19, 1763, and continued them until January 4, 1764, after which they spent two days in reducing their observations and in the computation of the latitude, which they made 39° 56′ 29″.1. Considering that the latitude of their point of observation, as nearly as it can be identified, is given on the modern charts of the water front of Philadelphia as about 39° 56′ 26″.6, a value differing only two and a half seconds of arc from that obtained by Mason and Dixon, it is evident that the work of the latter is deserving of high praise. Their observations were made with a zenith sector* provided with a micrometer and they were careful to reverse the instrument at each station and also to divide the observations between north and south stars, in order to eliminate errors, as far as possible.

Under the deed of 1760 between the proprietors, the northern boundary of Maryland was to be a parallel of latitude 15 miles south of the most southern part of the city of Philadelphia. Having, as above described, determined the latitude of that point of departure and not finding it practicable, on account of the topographic features of the country, to begin direct measurement at that point, Mason and Dixon moved to the vicinity of the forks of Brandywine Creek,

*This instrument was preserved at Harrisburg until the destruction of the State Capitol. At that time it had been taken apart for cleaning and since that time only a few of the parts have been recovered.—*Ed.*

about 27 miles to the westward, where they selected a point as nearly as possible in the same parallel and again observed for latitude.

After making the necessary corrections for the difference of latitude between this and their first station, they determined their meridian and opened a line to the southward, through the forest, for the measurement of the distance of 15 miles, described in the deed. This distance was measured twice, and certain portions of it three times, using a 66 foot chain, except on the steep slopes, where wooden frames, 16½ feet long, called by the surveyors "levels," were employed instead. At the southern end of this measured line, in Newcastle County, Delaware, a third observatory was built and fresh observations were made. From these, the latitude of the parallel which was to mark the northern boundary of Maryland was computed to be 39° 43′ 17″.6, a value which is again very close to the modern determination. The latitude of the northeastern corner of Maryland was found in 1892 to be 39° 43′ 19″.9. The difference here is only 2″.3, but the discrepancy is in the opposite direction to that of Philadelphia, making a total discrepancy for the whole interval of 4″.8, which is still reasonably small. Mason and Dixon's interval is, however, too great both in linear and in angular measure. The actual interval of 13′ 6″.7 is about 6.12 chains,* or say 404 feet, more than 15 miles. Mason and Dixon also found the interval in arc equal to 13′ 11″.5, while 15 miles in that latitude are actually equal to 13′ 2″.7. It seems strange that they did not take note of this evident discrepancy, especially as they based their computations upon a length of a degree of latitude equal to 69½ miles, about 1,000 yards greater than the true value.

Having fixed, in the manner above described, a point on the parallel of latitude which was to form the northern boundary of Maryland, the surveyors left this part of the work and proceeded to lay out the line separating the "three lower counties," now the State of Delaware, from Maryland. The work at the southern extremity of the 15 mile line was resumed in the spring of 1765, but, owing to bad weather, it was not until April 4 that Mason and Dixon were able

*By oversight, this was called 5 chains in the paper on the Delaware boundary.

to fix the direction of their trial line to the westward. In regard to this they make the following remarks:

"Computed the Right Ascension of the Mid-Heaven when the stars passed the Azimuth that would intersect the Parallel of the Post Mark'd West, at 10′ to the Westw'd of the said Parallel.....Placed 3 Marks about ½ a mile Westw'd for the Direction of the Line, by observations made from 3 different Stars; and found the extremes (that is from the Northernmost to the Southernmost) of the 4 Marks (one being placed the 20 Inst.,) were distant from each other 18 Inches.

NOTE. These observations were made by fixing the Middle Wire of the Transit Instrument to the Star at the Instant of Time the Star pass'd the Azimuth of our direction.....April 5. Began to run the Western Line in the Direction of the mean of the 4 Marks."

This trial line was extended to the westward for a distance of 12 miles and 25 chains from the "Post mark'd West," so often mentioned by Mason and Dixon, which marked the first point of their parallel of latitude. The measurement was made with a Gunter's chain, 66 feet long. At the western end of this measured distance the sector was again set up and observations for latitude were made as before, though only three stars were observed at this station. The result of the computation indicated that this station was too far north.

Mason and Dixon wrote: "Difference=what we are northward of Post marked West.....=1″.29=the Mean of the Obser: which is nearly=43 yards=the distance we are Northward of the Post mark'd West."

This difference should have been reckoned as 43½ yards. From the value which they obtained the surveyors next computed the offsets to the southward from the trial line to the true parallel at each mile from the starting point. These offsets are given in *Table I.*

TABLE I.

EXTRACT FROM MASON AND DIXON'S FIELD NOTES.

"1".29=the Mean of the Obser: which is nearly=43 yards=the distance we are Northward of the Post mark'd West. Hence the offsets at every mile Post (from the Post mark'd West, 15 miles So. of the Southernmost Point of the City of Philadelphia) are as follows:

Miles from the Post mark'd West	Offsets in Feet	Chs.	Lks.
0	0—	0	00
1	12.5—	0	19
2	30.8—	0	46½
3	45.6—	0	69
4	59.6—	0	90
5	72.1—	1	9
6	84.6—	1	28
7	95.1—	1	44
8	103.6—	1	57
9	112.1—	1	70
10	119.1—	1	80½
11	124.5—	1	90
12	128.0—	1	94
Miles 12 Chs. 25	129.0—	1	95½

To be set off to the Southward at Rt. Angles from the Line we run."

A new direction was next computed and was laid off at this station, in the same manner as before, to intersect the parallel of latitude at a point ten minutes further west. This second trial line was continued to the westward until May 12, 1765, on which day the sector was again set up at the measured distance of 25 miles, 75 chains, 57 links, from the post marked West, or 13 miles, 50 chains, 57 links, from the preceding latitude station. Inasmuch as in that latitude ten minutes of longitude amount to less than nine miles, it is somewhat singular that Mason and Dixon should have laid off distances of twelve or thirteen miles as corresponding to that interval. The observations at this third latitude station on the parallel indicated that the position was 3".82, or 5.80 chains "Northward of the Parallel of the Post mark'd West." (More precisely, 386.5 feet or 5 chains, 85½ links.)

TABLE II.

EXTRACT FROM MASON AND DIXON'S FIELD NOTES.

"A Table shewing the proper offsets to be set off to the Southward, at every Mile Post, betwixt the place where the Sector stood in East Nottingham, and the place where it stood near Sasquehannah:

Miles from the Post Mark'd West	Offsets to the Southward in Chains and Links	
	Chains	Links
12.312	1	95¼
13	2	26
14	2	67¼
15	3	01¼
16	3	36
17	3	66
18	3	94
19	4	26¼
20	4	55
21	4	81
22	5	08
23	5	30
24	5	51
25	5	66
25.944	5	80

"

This station was near the eastern bank of the Susquehanna River. As before, the corrections from the trial line to the parallel were computed and may be found in *Table II.*, extracted from Mason and Dixon's notes. Under date of May 19 they note: "Found a New Direction as before to intersect the Parallel 10′ to the Westward;" and under date of May 27 the following in regard to the river crossing: "To get the Breadth of the River Sasquehannah, we measured the Base (BC) on the West side of the River, and took the Angles (B and C) with an Hadley's Quadrant of 18 inches Radius:

From which Data we computed the Distance between the marks (A) on the East side of the River and the mark (B) on the West side of the River, and found it=71.28 Chains, from which subtract 3.60 chains=the Distances of the marks (A) and (B) from the River's Edge, and there remains 67.68 Chains=the Breadth of the River.

	Miles.	Chs.	Lks.
To the East side of the river,=.....	26	3	93
add the Breadth of it.....	..	67	68
The Sum=.....	26	71	61

is the Distance of the West side of the River from the Post Mark'd West."

Mason and Dixon next retraced their steps to the eastward, setting off the corrections from their trial line to the parallel, as far as the fourth mile post from the post marked West. On June 1, 1765, they were at the tangent point in the Newcastle circle and found the direction for running a north line from that point by observing the transit of the Pole Star and four other stars. On June 3, they proceeded to run this north line in order to fix the northeastern corner of Maryland, by the intersection of the north line and the parallel of latitude which they had just laid out.

Under date of June 6, 1765, they note:— "Continued the North Line to the Parallel of Latitude 15 miles South of the South Point of the City of Philadelphia..... From the Tangent Point to the Parallel is 5 miles, 1 chain, 50 links. The Meridian from the Tangent Point cross'd the Parallel at 2 miles, 79 chains, 27 links, from the Post where we began to run the Parallel, (mark'd West).

At the Point of Intersection of the Parallel of Latitude and the Meridian Line from the Tangent Point, we placed a Post mark'd W on the West side and N on the South side."

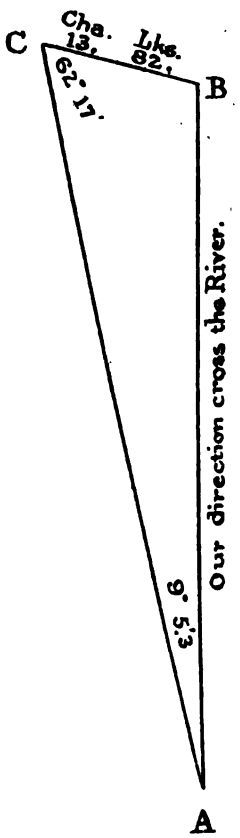


FIG I.

After placing stone monuments on a portion of the eastern boundary of Maryland, the surveyors again set out for the Susquehanna and arrived at Peach Bottom ferry on Saturday, June 22, 1765. On the following Monday, work was resumed on the western extension of the line, the new trial line from the station east of the river being produced for 11 miles, 22 chains, and 41 links, where Mason and Dixon, on July 3, wrote: "At 37 miles, 17 chains, 98 links, we supposed we were in the true Parallel, and chang'd our direction to intersect the Parallel at 10" West."

This new direction was followed for 11 miles, 46 chains, 7 links, and a new latitude station was then established. On July 12 Mason and Dixon wrote:— "Set up the Sector in our Direction at the

Distance of 48 Miles, 64 Chains, 05 Links from the Post mark'd West in Mr. Bryan's field, and made the following observations:. . ."

The observations in question indicated that the station was 0".56 south of the true parallel. Mason and Dixon took this as equal to 85 links or 56 feet. A more exact value would have been 86 links or 56.7 feet. They computed, as usual, the offsets from their trial line, which in this case was in two sections, to the parallel. Their results are given in *Table III.*

TABLE III.

EXTRACT FROM MASON AND DIXON'S FIELD NOTES.

"1765, July 22. Hence the offsets at every Mile Post betwixt this Station and where the Sector stood May the 12th, 1765, as follows:

Miles from ye Post mark'd West	Offsets		
	Chains	Links	
25.944	5	80	South to the true Parallel.
26.00	5	77	
27.00	5	30	
28.00	4	82	
29.00	4	32	
30 00	3	81	
31.00	3	29	
32 00	2	74	
33.00	2	18	
34.00	1	60	
35.00	1	00	
36.00	0	39	
37.00	0	24	So.
37.225	0	38	North to ye true Parallel.
38.00	0	36	
39.00	0	32	
40.00	0	30	
41.00	0	30	
42.00	0	31	
43.00	0	35	
44.00	0	39	
45.00	0	46	
46.00	0	54	
47.00	0	64	
48.00	0	76	No.
48 80	0	85	"

The notes continue:— "July 23. Packing up the Instruments, and changing our Direction so as to hit the true Parallel at the next Station. Note.—Here we suppose our direction to be changed at 10′ West as usual."

The direction then obtained was followed for the distance of 11 miles, 73 chains, 13 links, when, on July 30, according to the record:— "At 60 miles, 57 chains, 18 links chang'd our direction

to hit the true Parallel at 10′ West." After measuring 10 miles, 66 chains, 1 link, further, on this changed course, the record reads:— "August 7. Set up the Sector in our Direction at the distance of 71 miles, 43 ch., 19 links from the Post mark'd West, and made the following observations:....."

These observations, which continued until August 18, gave a result indicating that the station was 4″.58 north of the true parallel through the starting point. In linear measure, this was taken by Mason and Dixon as equal to 458 feet, or 6 chains, 94 links. A more exact value would have been 463.4 feet or 7 chains, 2 links. The offsets from the trial line to the boundary were, as usual, computed for each mile post along the line, between the two stations. They are given in *Table IV*. The notes continue:—

TABLE IV.

EXTRACT FROM MASON AND DIXON'S FIELD NOTES.

"1765, August 19. 4″.58=458 feet=6 chains, 94 links that we are to the North of the true parallel. Hence the offsets at every Mile Post to where the Sector was set up the 12th of July, as follows:

Miles from the Post mark'd West	Offsets		
	Chains	Links	
48.80	00	85	North to the true parallel.
49.00	00	75	
50.00	00	33	
51.00	00	10	South to Do.
52.00	00	48	
53.00	00	85	
54.00	01	22	
55.00	01	57	
56.00	01	90	
57.00	02	21	
58.00	02	49	
59.00	02	79	
60.00	03	07	
60.71	03	23	Angular point.
61.00	03	36	
62.00	03	77	
63.00	04	18	
64.00	04	58	
65.00	04	95	
66.00	05	30	
67.00	05	64	
68.00	05	96	
69.00	06	27	
70 00	06	55	
71.00	06	81	
71.54	06	94	South."

"August 20. Changed the direction found on ye 16th so as to be in the parallel 10′ West, and began to run the line in the s'd direction..... August 26.....At 83 miles, 13 chains, 96 links, suppos'd to be in the true parallel; we changed our direction to be again in the true parallel 10′ West." This gave a distance of 11 miles, 50 chains, 77 links from the preceding latitude station. At about the end of August the surveyors crossed the summit of the Blue Ridge. After measuring a distance of 11 miles, 49 chains, 14 links from the point at which they had last changed their direction, they made the following record:— "September 5. Brought the Sector to this side of the Mountain. September 6. Set up the Sector in our direction at the distance of 94 M, 63 ch, 10 links from the Post mark'd West in Mr. Bryan's field, and made the following observations:....."

The observations at this station continued until September 17 and gave a result indicating that the station was 0″.56 south of the true parallel. Mason and Dixon considered that interval equal to 85 links or 56 feet, but a more exact value is 86 links or 56.7 feet. The offsets between this and the last station were computed as usual and are given in *Table V.*

TABLE V.

EXTRACT FROM MASON AND DIXON'S FIELD NOTES.

"1765, September 18. 0".56=56 feet=85 Links we are to the South of the true parallel. Hence the offsets at every Mile Post betwixt this Station and where the Sector stood Aug'st the 7th, 1765, as follows:

Miles from the Post mark'd West	Offsets to the Parallel		
	Chains	Links	
71.54	6	94	South.
72	6	69	
73	6	12	
74	5	55	
75	4	96	
76	4	36	
77	3	75	
78	3	12	
79	2	46	
80	1	78	
81	1	10	
82	0	40	So.
83	0	30	North.
83.174	0	43	
84	0	40	
85	0	36	
86	0	33	
87	0	33	
88	0	35	
89	0	37	
90	0	42	
91	0	49	
92	0	56	
93	0	66	
94	0	78	
94.789	0	85	North."

On September 20, Mason and Dixon wrote that they began to run the line in a direction which they had found by observations of stars on the 9th of the month, "corrected so as to be in the Parallel at 20′ West, (supposing us to change at every 10′ as usual.)"

On September 26 they wrote:— "At 105 m. 78 ch. 67 lks., changed our direction as usual." This angular point was 11 miles, 15 chains, 57 links, from the preceding latitude station. From this point the new direction was continued 11 miles, 14 chains, 30 links, to the last latitude station of the season, near the western edge of the Cumberland Valley. Under date of October 7, 1765, Mason and Dixon wrote:— "Set up the Sector in our Direction at the distance of 117 m. 12 ch. 97 l., from the Post mark'd West in Mr. Bryan's field, and made the following observations:....."

The result of the computation gave a greater correction from the trial line to the boundary than at any previous station, the discrepancy in latitude amounting to 8".47, reckoned by Mason and Dixon as equal to 847 feet or 12 chains, 84 links, (more precisely 857 feet or 12 chains, 98½ links) to be measured north from the latitude station to the boundary. As usual, the offsets were computed for each mile post, back to the preceding latitude station. They are given in *Table VI.*

TABLE VI.

EXTRACT FROM MASON AND DIXON'S FIELD NOTES.

"1765, October 24. 8".47=847 feet=12 chains, 84 links=the distance we are to the South of the true parallel. Hence the offset at every Mile Post to where the Sector stood the 6th of September, as follows:

Miles from the Post mark'd West	Offsets		
	Chains	links	
94.789	0	85	North to the true Parallel.
95	0	93	
96	1	38	
97	1	86	
98	2	35	
99	2	86	
100	3	37	
101	3	91	
102	4	47	
103	5	05	
104	5	63	
105	6	23	
105.913	6	85	
106	6	79	
107	7	27	
108	7	74	
109	8	23	
110	8	74	
111	9	27	
112	9	81	
113	10	36	
114	10	92	
115	11	49	
116	12	10	
117	12	74	
117.162	12	84	North."

At this station Mason and Dixon stopped work for the season and, after ascending the mountain which lay west of them to get a view of the country beyond, returned eastward, marking the offsets as far as the Susquehanna. They then set 50 monuments in the eastern

boundary of Maryland, after which operations were suspended for the winter.

The following extracts from their notes at their last latitude station may be found interesting:

"1765 October 25 Computing offsets, &c. Went to Capt. Shelby's to desire him to go with us on the North Mountain for to shew us the course of the River Potowmack westward.

" 26 Pack'd up our Instruments and left them (not in the least damaged to our knowledge) at Capt. Shelby's. Repaired with Capt. Shelby to the summit of the Mountain, in the direction of our line, but the air was so hazy prevented our seeing the course of the River.

" 27 Capt. Shelby again went with us to the summit of the Mountain (when the air was very clear) and shewed us the Northernmost bend of the River Potowmack at the Conoloways; from which we judge the line will pass about two miles to the North of the said River. From hence we could see the Allegany Mountains for many miles, and judge it by its appearance, to be about 50 miles distance, in the direction of the line.

" 28 Set out on our return to the River Sasquehanna, to make the offsets from our Visto, to the true parallel."

Passing now to the field season of 1766, the notes read:

"1766 March 15 C. Mason left Annapolis, and proceeded for the North Mountain to continue the Line. . . .

" 21 Received our Instructions to proceed with the Line to the Allegany Mountain.

April 1 Changed the Direction found per stars on the 21st of October last, to be in the true Parallel at 10′ West. Continued the line in the direction so chang'd. . . .

" 23 At 129 m, 12 chs, 04 lin, chang'd our direction to be again in the parallel at 10′ West."

This angular point was 11 miles, 79 chains, 7 links, from the latitude station at which the season's work began.

The following extracts from the field notes show that the roughness of the country was opposing increasing difficulties to the progress of the survey.

"April 26 Continued the line. At 134 m, 54 ch., the Foot of Sidelong Hill.

Here we could proceed no further with the Waggons.

At 135 m, 29 ch, the top of Do.

May 1-2 Got the Sector brought to the east side of Sidelong Hill.
" 3 Do. brought to the foot of Town Hill on ye East side.
" 4 Set up the Sector (at Do.) in our Direction at the distance of 140 m. 15 ch. 76 links from the Post mark'd West in Mr. Bryan's field, and made the following observations:...."

The observations at this station, which was 11 miles, 3 chains, 72 links, from the point at which the direction had been changed, indicated that the station was 0".20=20 feet=31 links, south of the true parallel. The usual offsets, computed by Mason and Dixon, are given in *Table VII.*

TABLE VII.

EXTRACT FROM MASON AND DIXON'S FIELD NOTES.

"1766, May 16. 0".20=20 feet=31 Links that we are to the South of the true parallel. Hence the offsets at every Mile Post to where the Sector stood the 7th of October last, as follows:

Miles from the Post mark'd West	Offsets to the true Parallel		
	chains	links	
117.162	12	84	North.
118	11	86	
119	10	68	
120	9	53	
121	8	42	
122	7	31	
123	6	22	
124	5	14	
125	4	07	
126	3	02	
127	1	99	
128	0	97	North.
129	0	02	South.
129 12 ch. 04 lin.	0	16	
130	0	21	
131	0	23	
132	0	23¼	
133	0	23	
134	0	20	
135	0	16	
136	0	11	
137	0	05	South.
138	0	03	North.
139	0	14	
140	0	27	
140.197	0	31	North "

On May 17 a mark was fixed in direction for a new trial line to the westward and that line was extended, between the 19th and 27th, 11 miles, 32 chains, 24 links, to the top of the "great Warrior Mountain," where, at a distance of 151 miles, 48 chains, from the Post marked West, the direction of the line was changed so as to strike the parallel again at 10′ West. The mountain so designated is now locally known as "Tussey" and where crossed by the boundary does not present a very pronounced ridge, though it rises to the northward into a considerable summit.

The new direction was produced to the westward as far as the valley west of Little Allegheny Mountain, where another latitude station was made, near the present village of Wellersburg, Pennsylvania, and at this station the western extension of the line stopped for the year 1766. The notes read:—

"1766 June 6-7-8 Brought the Sector, &c., from the Warrior Mountain to the foot (on the east side) of Savage Mountain, the second Ridge of the Allegany Mountains.

" 9 Set up the Sector in the Direction of our Line at the distance of 165 m, 54 ch, 88 links from the Post mark'd West in Mr. Bryan's field, and made the following observations:...."

This station was 14 miles, 6 chains, 88 links, from the point on the Warrior (or Tussey) Mountain, at which the direction had been changed. The computed result of the observations indicated that the station was 2″.415 south of the true parallel. Mason and Dixon called this equal to 241½ feet, or 3.66 chains. A more precise value is 244¼ feet or 3.70 chains. The offsets for every mile from this station to the preceding were computed and are stated in *Table VIII.*

TABLE VIII.

EXTRACT FROM MASON AND DIXON'S FIELD NOTES.

"1766, June 17. 2".415=241½ feet=3.66 chains, that we are to the south of the true parallel. Hence the offsets of every Mile Post to where the Sector was set up the 4th May, as follows:

Miles from the Post mark'd West	True Offsets		
	Chains	links	
140.197	0	81	North to the true Parallel.
141	0	33	
142	0	38	
143	0	43	
144	0	51	
145	0	61	
146	0	73	
147	0	86	
148	1	01	
149	1	18	
150	1	36	
151	1	57	
151, 48 chs.	1	66	
152	1	68	
153	1	72	
154	1	78	
155	1	86	
156	1	94	
157	2	04	
158	2	16	
159	2	30	
160	2	46	
161	2	63	
162	2	81	
163	3	03	
164	3	26	
165	3	50	
165.686	3	66	North."

Mason and Dixon thus describe their further operations during the balance of the season:—

"1766 June 18 Set a Post (18 inches square; 3 feet in the Ground and 5 out,) at the distance of 3.66 chains North of the Sector, mark'd M on the south side, P on the North side and W on the West:— and began to cut a Visto in the true Parallel, or Line between Maryland and Pennsylvania, by drawing it thro' Points laid off from the Line we have run at every 10 chains.

" 19 Continued the Visto or Line towards the Post mark'd West in Mr. Bryan's field. . . .

Sept. 25 Continued the line to the Intersection of the Meridian from the Tangent Point, with the Parallel; which finish'd our Instructions.

N. B.—From any Eminence in the Line, where 15 or 20 Miles of the Visto can be seen, (of which there are many,) the said Line, or Visto, very apparently shews itself to form a parallel of Northern Latitude. The Line is measured Horizontal: the Hills and Mountains with a 16½ Feet Level. And, besides the Mile Posts we have set Posts in the true Line (mark'd W on the West side) all along the Line opposite the Stationary Points where the Sector and Transit Instruments stood. The said Posts stand in the middle of the Visto, which in general is about 8 yards wide. The Number of Posts in the West Line is 303.

" 27 Rec'd a letter from the Gent'n Commissioners for Pennsylvania, acquainting us that the next meeting of the Commissioners for both Provinces is to be held at Christiana Bridge, in Newcastle county, the 28th of next Month.

" 30 Discharged all hands.

October 28 At Christiana Bridge.

" 29 One of the Commissioners for Pennsylvania came to Do., and acquainted us the Gent'n Commis' were not to meet at this time; and that we were to proceed immediately to set 100 stones, (one at each Mile) in the Lines. . . .

November Thursday the 20th. The stones were all set; which finished the Tangent Line. From the Tangent Point to the West Line; and 65 Miles of the said West Line, or Boundary between Maryland and Pennsylvania, the 64th mile from the beginning of the West Line excepted, at which there is no stone.

One of the Gent'n Commissioners of each Province attended this work.

N. B.—The Stones in the West Line are set 73 Links Eastward of the Mile Posts; so that they stand at even miles from the North-East end of the Province of Maryland, or the beginning of the West Line."

Under instructions from the commissioners, Mason and Dixon then extended their parallel of latitude eastward to the Delaware River. This was done in order that they might be able to measure the distance of five degrees of longitude from the Delaware, which formed the charter limit of Pennsylvania to the west. In the spring of the following year, 1767, arrangements were perfected for the

completion of the survey to that limit of longitude. The notes read thus:—

"1767 March 26 At Annapolis, where we were inform'd by His Excellency Horatio Sharpe, Esq'r., that the meeting intended the 24th was postponed to the 28th of April next, on account of the Commissioners not having received any certain intelligence of Sr. Wm. Johnsons having agreed with the Natives for we to continue the West Line.

June 3 Were inform'd that an agreement was made with the Six Nations for us to proceed with the West Line; and that the Gent'n Commissioners were to meet at Chester Town on the 16th instant.

" 12 Wrote to the Hon'ble Proprietors of Maryland and Pennsylvania.

" 15 Sent seven Men with the Telescope, &c., of the Sector to the Allegany Mountain, where we left off last year.

" 17 Attended the Gent'n Commiss'rs at Chester Town.

" 18 Attended Do., and received our Instructions to proceed with the West Line to the end of 5° of Longitude from the River Delaware.

July 7 The Waggons arrived at Fort Cumberland with the Instruments, Tents, &c.

" 8 At the Allegany Mountain, where we left off last summer.

" 10 Placed a Mark Eastward in a Direction from the Post we left off at in the true Parallel, to be again in the true parallel at 10' West.

" 13 Began in the true Parallel, and continued the line westward in the above mention'd Direction.

" 14 Continued the line. At 168 miles, 78 chains, the Top of the great dividing Ridge of the Allegany Mountains." [Savage Mountain.]

" 16 Continued the line. This Day we were joyn'd by 14 Indians deputed by the Chiefs of the Six Nations to go with us on the Line. With them came Mr. Hugh Crawford, Interpreter.

" 25 Continued the line. At 177 miles, 4 chains, 45 links, changed the Direction to be again in the true Parallel at 10' West."

This angular point was 11 miles, 29 chains, 57 links, from the starting point.

August 6 Continued the line. At 188 miles, 41 chains, 65 links, changed the Direction to be in the true Parallel at 10' West."

This angular point was 11 miles, 37 chains, 20 links, from the preceding one.

Only in this instance did Mason and Dixon run three chords between latitude stations.

An interesting connection with the history of the then recent "French and Indian War" is given in the following entry:

"1767
August 7 Continued the line in the direction changed. At 189 m, 57 ch., the Top of Winding Hill. At 189 m, 69 ch., cross'd General Bradock's Road leading from Fort Cumberland to Fort Pit. At 190 m, 1 ch., cross'd Do., a 2d time."

On August 11 the surveyors reached the east bank of the Youghiogheny River, at the distance of 194 miles, 25 chains, 25 links, from the "Post mark'd West." On August 16 they noted: "Sent for the Sector from Mr. Spear's, at the crossing of the Yochio Geni, on Gen'l Bradock's road." Under date of August 17 is written:— "Set up the Sector in the Direction of our Line, at the distance of 199 miles, 63 chains, 68 links from the Post mark'd West in Mr. Bryan's field, and made the following observations:....." This station was 11 miles, 22 chains, 3 links, from the preceding angular point. The result of these observations indicated that the latitude station was 9".9 north of the true parallel, the greatest difference found in the course of this work. Mason and Dixon took this as equal to 990 feet, or 15 chains, to be laid off to the southward from their latitude station to the boundary. With our present information, this would be reckoned as 1001.7 feet, or 15.18 chains, nearly. As usual, the offsets were computed for each mile between this station and the preceding. These are given in *Table IX.* A

TABLE IX.

EXTRACT FROM MASON AND DIXON'S FIELD NOTES.

"1767, August 24. Mean=9".9=15 chains, 00 links to be laid off to the southward. Hence the offsets at every Mile Post to where we began at the Allegany Mountain, as follows:

Miles from ye Post mark'd West	Offsets South	
	Chains	links
165.68	0	00
166	0	16
167	0	68
168	1	18
169	1	69
170	2	15
171	2	61
172	3	08
173	3	48
174	3	88
175	4	26
176	4	64
177	5	00
178	5	48
179	6	00
180	6	49
181	6	96
182	7	41
183	7	88
184	8	32
185	8	75
186	9	16
187	9	55
188	9	87
189	10	30
190	10	83
191	11	34
192	11	83
193	12	29
194	12	73
195	13	16
196	13	58
197	13	98
198	14	36
199	14	71
199.78	15	00

Sector."

note reads:— "At this Station, Mr. Jno. Green, one of the Chiefs of the Mohock Nation, and his Nephew, left us, in order to return to their own country."

Leaving a party of axemen to open a line eastward in the true parallel, Mason and Dixon continued westward. On September 4,

after measuring 11 miles, 29 chains, 60 links, in their new direction, at a point 211 miles, 13 chains, 28 links, from the "Post mark'd West," they changed the direction to be again in the true parallel at 10′ west.

On the 19th of September they wrote:— "Set up the Sector in the Direction of our Line at the Distance of 222 miles, 24 chains, 12 links from the Post mark'd West in Mr. Bryan's field, and made the following observations:

This point is the Top of a very high, steep Bank, at the foot of which is the River Manaungahela."

This latitude station was 11 miles, 10 chains, 84 links, from the preceding angular point of the trial line.

The computation indicated that the station was 3″.57 south of the true parallel, an interval which Mason and Dixon took to be equal to 357 feet, or 5.41 chains. A more accurate value would be 361.2 feet, or 5.47 chains.

Offsets to be measured to the northward at each mile post between this and the preceding station were computed as usual and may be found in *Table X*.

TABLE X.

EXTRACT FROM MASON AND DIXON'S FIELD NOTES.

"1767, September 27. Mean=3".57=5 chains, 41 links, that we are to the South of the True Parallel. Hence the offsets at every Mile Post to where the Sector was set up on the 17th of August, as follows:

Miles from ye Post mark'd West in Mr. Bryan's field	Offsets, North	
	Chains	Links
199.79	0	00
200	0	03
201	0	17
202	0	34
203	0	45
204	0	76
205	0	99
206	1	23
207	1	47
208	1	73
209	2	02
210	2	33
211	2	67
212	2	87
213	3	03
214	3	21
215	3	42
216	3	64
217	3	87
218	4	11
219	4	37
220	4	65
221	4	95
222	5	29
222.30	5	41

Sector."

Moving their instrument north to the boundary, Mason and Dixon started a new trial line to the westward. As they progressed further into the wilderness, inhabited, for the most part, only by roaming Indians, their difficulties increased; as is shown by the following entries in their journal:

"1767
Sept. 29 Twenty-six of our Men left us. They would not pass the River for fear of the Shawanes and Delaware Indians. But we prevailed upon 15 Ax Men to proceed with us; and with them we continued the Line Westward. . . .

October 2 Continued the line. Sent to Fort Cumberland for more Hands. . . .

" 7 Continued the line. We have now our usual complement of Hands. . . .

October 9 Continued the line to a high Ridge. At 231.20, cross'd a War Path. 231.71, cross'd Dunkard Creek. 232.43, cross'd Do., a second time. 232.74 cross'd Do., a third time.

This day the Chief of the Indians which joyn'd us the 16th of July, inform'd us that the above mention'd War Path, was the extent of his commission from the Chiefs of the Six Nations that he should go with us with the Line, and that he would not proceed one step farther.

" 10 The Indians still persisting that they will not go any farther Westward with the Line; we sent for the Sector which was left at the Manaungahela.

" 11 Set up the Sector in the Direction of the Line at the Distance of 233 miles, 13 chains, 68 links from the Post mark'd West in Mr. Bryan's field, and made the following observations: ...."

This station was 10 miles, 69 chains, 56 links, from the preceding and the result of the observations indicated that it was 2".23 south of the parallel. This interval Mason and Dixon took as equal to 223 feet, or 3 chains, 38 links, (225.6 feet or 3 chains, 42 links, would be a more precise equivalent) and from it computed, as usual, the offsets from the trial line to the boundary at each mile post between this and the preceding station. These offsets are given in *Table XI.*

TABLE XI.

EXTRACT FROM MASON AND DIXON'S FIELD NOTES.

"1767, October 18. Mean=2".23=3 chains, 38 links, that we are to the South of the True Parallel; Hence the Offsets at every Mile Post to the Manaungahela, as follows:

Miles from ye Post mark'd West	Offsets, North	
	Chains	Links
222.30	0	00
223	0	15
224	0	38
225	0	63
226	0	90
227	1	19
228	1	50
229	1	81
230	2	14
231	2	48
232	2	85
233	3	34
233.171	3	38

Sector."

The following was noted in regard to the last station:— "Note.— The Sector stood on the Top of a very lofty Ridge; but when the offset of 3 ch, 38 links was made it fell a little Eastward of the Top of the Ridge. We therefore extended the True Parallel 3 chains, 80 links Westward, which fell on the Top of the said Ridge. There, at 233 Miles, 17 Chains, 48 Links, from the Post mark'd West, in Mr. Bryan's field, we set up a Post mark'd W, on the West side, and heaped round it Earth &c., three yards and a half Diameter at Bottom, and five feet High—the heap nearly conical.

This Post is 230 Miles, 18 Chains, 21 Links from the beginning of the West Line." (That is, from the northeastern corner of Maryland.)

This point was the western end of the line run by Mason and Dixon and it was not until 1784 that the southern boundary of Pennsylvania was completed to the limit of five degrees of longitude from the River Delaware. This work was done under the direction of commissioners representing Pennsylvania and Virginia. The determination of the difference of longitude was effected by observations of eclipses of the satellites of Jupiter, made at each end of the line. The result was surprisingly accurate, for the time.

The southwestern corner of Pennsylvania having been fixed by astronomical observations, the commissioners then extended Mason and Dixon's line to that corner from the point at which the work had been stopped by the Indians in 1767. This new work was checked by observations for latitude at several intermediate points and when examined in 1883 the line was found to have a very uniform curvature. After having been turned back by the Indians, Mason and Dixon began on the 20th of October, 1767, to open the line or "Visto," as they called it, to the eastward. This work was completed on November 5, on which day they made the following note:—

"Continued the line to the Post standing at 199 m, 63 ch, 68 lks, (our first Station) which finish'd. There is now one continued Visto (8 or 9 yards wide) open in the True Parallel from the intersection of the North Line from the Tangent Point with the Parallel, to the Ridge we left off at on the 9th of October last. Mr. Hugh

Crawford with the Indians and all Hands, except 13 kept to erect Marks in the Line, left us in order to return Home."

Mason and Dixon continued to work eastward, erecting marks in the line, these marks being mounds of earth or stones, heaped around the wooden posts which marked the line. Owing to the difficulty of transportation, no cut stone monuments were set west of the eastern base of Sideling Hill. In addition to building mounds around the mile posts, Mason and Dixon also put in extra mounds upon the summits of the principal ridges which were crossed by the line; and it was fortunate that they did so, as these mounds, being in more favorable situations than many of the mile mounds, have almost all been preserved to the present day, while very many of the others have been destroyed.

The rapidly advancing season caused Mason and Dixon much inconvenience. Snow fell on November 12, 13 and 18. On November 19 they made this note:— "Continued erecting Marks in the Line. Snow 12 or 14 inches deep; made a pile of Stones on the Top of Savage, or the great dividing Ridge of the Allegany Mountains.

Note.—West of this Mountain to ye End of ye Line, the Mile Posts are 5 feet in length, 12 inches square & set two feet in the Ground; and round them are heap'd Earth or Stone, 8 feet Diameter at bottom & 2½ feet high."

On the following day they noted:— "The Weather being so bad our Hands would not proceed on their work." On November 21; "Seven of our Hands left us." On November 22; "The above Desertion of our Hands prevents us from making Heaps round the Mile Posts as before. Proceeded in to Wills Creek Valley." In spite of the adverse conditions, the surveyors continued their work as best they might. On November 23, they wrote:— "Continued erecting Marks on the Tops of the Mountains. Got more Hands."

They persevered in this way until November 28, when they wrote:— "Marks are now set on the Tops of all the High Ridges & Mountains, to the Top of Sidelong Hill, and the Stones to the East side of Do." On the following day they discharged most of their hands and added the following note:

"Note.—The Mile Posts between the Top of Savage Mountain and the End of the Line have Heaps of Earth or Stone round them (as observed in minute of the 19th of Nov'r) of Eight feet Diameter at bottom and 2½ feet High.

At the following Points in the Line, being the Tops of High Ridges & Mountains, are set Posts about 12 inches square, mark'd W, on the West side, and round them Heaps of Earth or Piles of Stone, three yards and a half Diameter at bottom, and five feet High; none less, but many four yards Diameter & six or seven feet High:....."

TABLE XII.

EXTRACT FROM MASON AND DIXON'S FIELD NOTES.

"1767, November 30. At the following Points in the Line, being the Tops of High Ridges & Mountains, are set Posts about 12 inches square, mark'd W, on the West side, and round them Heaps of Earth or Piles of Stone, three yards and a half Diameter at bottom, and five feet High; none less, but many four yards Diameter & six or seven feet High:

Miles from the Post mark'd West in Mr. Bryan's Field		
M.	Chains	
135	29	The Top of Sidelong Hill.
137	11	
140	54	The Top of Town Hill.
143	14	
146	52	The Top of the Ragged Mountain.
149	17	The Little Warrior Mountain.
151	47	The Great Do.
153	22	Flintstone Mountain.
155	32	Evits Mountain.
157	63	The Nobbley Mountain.
159	71	Wills Creek Mountain
163	59	The Little Allegany Mountain.
168	76	The Top of the Allegany Mountain.
172	27	
173	75	
176	46	The Top of the Little Meadow Mountain.
178	53	
182	19	
184	17	The Top of the Little Laurel Hill.
185	45	
186	63	
187	50	
190	12	The Top of Winding Hill.
193	25	

Miles from the Post mark'd West in Mr. Bryan's Field.		
M.	Chains	
196	20	
198	63	
199	63	
202	44	
205	16	
207	45	
209	19	
210	60	
212	26	On Laurel Hill.
214	12	The Top of Highest Ridge on Do.
217	58	
218	67	
220	51	
222	24	
223	12	
226	40	
227	57	
228	64	
229	75	
230	77	
233	17	The Top of the Westernmost Ridge to which the Line is extended.

Some of these Mountains not being at Right Angles to the Line 1st run, causes these points to be something different in Distance from the Post mark'd West, from what is laid down before the Line was corrected by offsets.

From the Points { M. Ch. 168.76, there is an extensive view Eastw'd & Westw'd. 214.12 the Line may be seen to Winding Hill, Eastw'd, and to the end Westw'd. From these Points the curvature of the Line appears very regular.

CHA: MASON,
JERE: DIXON."

The list referred to may be found in *Table XII.* Mason and Dixon continue:— "The Stones are extended from (the 65th Mile) where they ended last year to 132 Miles from the Beginning of the West Line. They are all set in the same manner as described in minute of the 21st of November, 1766; and are all at their proper places except the 77th and the 117th.

The place of the 77th falling in Marsh Creek, it is set 125 yards East of its true place.

The place of the 117th falling on a great stone, it is set five yards East. The 64th Mile, which was left last year, is also set."

On December 4, 1767, Mason and Dixon sent messages to the commissioners to inform them that they should be in Philadelphia on the 15th of that month. On the 11th, they were informed that the commissioners were to meet on the 23rd, at Christiana Bridge. The surveyors were in attendance at that place on the 24th, 25th, and 26th. On the last day they received instructions to draw a Plan of the Boundary Lines between the Provinces of Maryland and Pennsylvania. The last entry in the note book, dated January 29, 1768, reads:— "Delivered to the Rev'd Rich'd Peters plans of the above mention'd Lines." Below that entry are the signatures, Cha: Mason Jere: Dixon, written twice; over the date lines, Dec. 7, 1763, and Jan. 29, 1768.

This ended the connection of Mason and Dixon with this boundary. The extension of their line to the westward in 1784 has already been mentioned.

The stone monuments placed by Mason and Dixon on the eastern boundary of Maryland, and on the northern boundary as far as Sideling Hill, were cut in England from the oolitic limestone so extensively used there for building and are extremely characteristic, no stone of a similar nature being found anywhere along the boundary. The usual dimensions of the monuments are as follows: length, three and a half to five feet, though rarely much more than four; cross section, a square with a side of one foot; top, a rather flat pyramid. Four-fifths of them were marked with the letters M and P, on opposite sides, and the remainder with the arms of the proprietors, in place of these letters. These latter, commonly called "crown stones," along the line, were placed at every fifth mile on the boundary, counting from the starting points of the east and north boundaries of Maryland, respectively. Thus, on the boundary between Pennsylvania and Maryland, these stones are 5, 10, 15, &c, miles west of the corner or Initial Monument, which would count as zero in that series.

Although it would appear that there has been no general resurvey of this boundary from the time of Mason and Dixon to the present work, circumstances conspired to keep this boundary very much before the public and it is likely that it has excited more interest

than any other line ever laid down in this country. It has been mentioned that when the line was extended, in 1784, to the western limit of Pennsylvania, Virginia joined in the work, instead of Maryland.

When Mason and Dixon made their survey, nothing was known in regard to the location of the western boundary of Maryland, which was described in the original charter of King Charles I. to Lord Baltimore, in 1632, as "the true meridian of the first fountain of the River Pattowmack," and they apparently made no investigation in reference to this limit, but continued the west line until stopped by the Indians, thus unwittingly running more than thirty miles beyond the northwest corner of Maryland, whose proprietor was paying half the cost of that very expensive survey. More recent political changes have transferred that part of Virginia to the new State of West Virginia. The boundary between that State and Pennsylvania was resurveyed and re-marked in the years 1883 and 1885.

The Resurvey.

The boundary line laid out and marked as described in the foregoing sketch remained undisturbed for many years. In course of time, however, as the country became settled and as the original forest was cleared away, the plainly visible evidence of the position of the boundary afforded by the "Visto (8 or 9 yards wide)" which had been opened by Mason and Dixon gradually disappeared. In some districts its place was in a measure supplied by the straggling rail fences of the settlers, while elsewhere the monuments or mounds were the only visible marks. Many of the mounds which took the place of monuments from Sideling Hill westward were sooner or later obliterated. They were probably hastily constructed, often of earth only, and many of them stood upon steep slopes where they were peculiarly exposed to damage by erosion. Some, situated in arable land, were gradually destroyed by continued cultivation, while others were actually removed by ignorant or malevolent persons. Even when they escaped these various chances of injury, they were frequently so hidden by undergrowth or by accumulations of fallen timber as to easily escape notice, while the varying distances between those situated on the hill tops led some persons to cast doubts upon their authenticity, because they were not at the even miles.

With regard to the monuments of cut stone which were placed at intervals of one mile along the line, eastward of Sideling Hill, it might be supposed that these at least would prove to be permanent marks. In point of fact, however, they fared little better than the mounds. As with the latter, some stood on steep hill sides from which they were washed by the rains, some in swamps where they became buried, some were broken by the frost or other natural agencies, some were deliberately injured or destroyed by ignorant farmers who seemed to feel a serious injury from the loss of the products of the little space of land occupied by them, and some were badly damaged, in a few cases even removed entire, by relic hunters.

With all of these agencies of destruction at work, it is not surprising that the actual location of the boundary became in many places uncertain. Where the nearest authentic monuments were perhaps several miles apart, it was very difficult for the inhabitants to preserve the true course of the line. In such cases the monuments were rarely intervisible and even if that were the case the curvature in the parallel of latitude would cause the boundary to differ from the chord joining the two monuments. Another source of confusion to farmers and to local surveyors, who sometimes attempted to restore portions of the old line, was the common belief that the boundary was a straight line and that it everywhere ran due east and west. The first of these conditions is incompatible with the second, as a straight line starting east or west from a given point will constantly diverge to the southward from the parallel of latitude passing through the starting point. The second condition would be true if the line had originally been laid down with absolute accuracy. But, owing to the varying density of the earth and to unavoidable defects of instruments and errors of observations, some parts of the line are too far north and other parts too far south, relatively to the parallel of latitude which would form the theoretical mean curve for the whole extent of the line. This being the case, many parts of the boundary necessarily vary from the east and west direction and in any such case an attempt to lay out the boundary due east and west will result in a serious discrepancy, as soon as such a new line reaches the vicinity of a known monument. The only feasible method in such cases is to accept the line as it exists, no matter what its deviation from the theoretical course and to interpolate intermediate points, when needed, with due regard to the existing monuments and to the original curvature of the line.

Although there have, no doubt, been numerous local resurveys of portions of this boundary, for special purposes, it is believed that no general resurvey was authorized by the States of Pennsylvania and Maryland previous to the year 1900. An act of the General Assembly of Pennsylvania, approved May 4, 1889, gives general authority to the Department of Internal Affairs of that State to co-operate with any adjoining State, when necessary, in the resurvey and re-marking

of their common boundary lines. Chapter 745 of the enactments of 1900 of the General Assembly of Maryland authorized such action, in conjunction with Pennsylvania, with regard to so much of the Mason and Dixon line as forms the boundary between the two States.

This Maryland enactment contained a provision looking toward the securing of the co-operation of the Coast and Geodetic Survey of the United States in the execution of the work. This suggestion having met the approval of the Pennsylvania authorities and of the Superintendent of the Coast and Geodetic Survey, an agreement to that effect was drawn up and signed at Washington, on August 10, 1900, by General James W. Latta, Secretary of Internal Affairs of Pennsylvania, Dr. William B. Clark, State Geologist and Commissioner for Maryland, and Dr. Henry S. Pritchett, Superintendent of the Coast and Geodetic Survey.

It was not found practicable to assign at once an officer to that duty, but this was done as soon as possible and a conference was then held at the office of the Coast and Geodetic Survey in Washington, on September 29, 1900, at which the engineer placed in charge of the work learned the views of the commissioners and at which a general plan of operations was decided upon. Preliminary work was begun in the latter part of October, 1900, and was continued for about two months until the severity of the weather compelled a cessation of operations until the following spring, after which time it was continued with few interruptions.

In the prosecution of the resurvey the following purposes were kept constantly in view:

1) To reproduce the work of Mason and Dixon with the greatest possible precision, carefully avoiding any suggestion of a new or corrected line;

2) To preserve carefully all of the original monuments which were suitable for use on the line;

3) To secure and place on the line as many as possible of the monuments which had been taken from it or which had never reached it.

These last words may require some explanation. It was found that in Washington County, Maryland, a considerable number of

these characteristic monuments, which had been sent from England for use on the boundary, had been utilized as doorsteps, horseblocks, etc., at various farmhouses. Some persons were of the opinion that all of these had been removed from their places on the line. That supposition may have been true in a very few instances, but it seems more probable that these monuments had been brought thus far on their way to the western part of the boundary and that when the placing of stone monuments had to be stopped at Sideling Hill, as mentioned by Mason and Dixon, on account of the impossibility of taking wagons further, these stones were left at the point which they happened to have reached. There were probably more of them than now exists, as there is evidence that some were cut into smaller pieces for building purposes and the number so destroyed may have been considerable.

Most of the monuments which were found under such circumstances were secured and were used to fill gaps in the old series. Six, which were built into the walls of houses and barns, could not be recovered. Photographs of these were obtained, as well as of a small church edifice on the Baltimore and Cumberland turnpike, in which two of the old "crown stones" were in use as doorsteps. These were secured, being replaced by ordinary stone.

The operations of this survey may be divided as follows:

1) To identify and when necessary to repair and reset the existing monuments;
2) To fix the positions of monuments which had been lost or destroyed and to replace them by others;
3) To place monuments at desirable places not previously marked;
4) To make a topographic sketch map of the immediate vicinity of the boundary in order to show the relation of the latter to neighboring objects, such as buildings, fences, roads, etc., for purposes of local identification.

As far as it was practicable to do so, these operations were carried on simultaneously, or nearly so, to avoid the necessity of going over the ground several times. It was found that few of the original stone monuments were erect and in really good condition. Most of them

were chipped, often very badly, many were broken, a considerable number had disappeared, others were out of the ground, and nearly all that were still standing were more or less out of plumb. It was therefore thought best to secure all of these old monuments in their places by giving them an enlarged base of concrete. The exact position of the monument being secured by guide stakes on each side, the monument was temporarily removed and a hole three feet square was dug to the same depth. A layer of stones and cement having been placed in the bottom, the monument was put in its proper position and its verticality was tested by a level. The space around it was then filled with a mixture of broken stone, sand, and cement, well rammed down and finished at the top with a coating of nearly pure cement. Each of these monuments, therefore, has a base beneath the surface equivalent to about a cubic yard of solid masonry, instead of the insecure hold afforded by a few inches of its own length in the soft ground. In cases where a monument had been broken across, but was otherwise in good condition, it was mended by iron clamps and bands, the latter being shrunken on to insure a firm hold and being subsequently imbedded in the concrete base to preserve the iron from the influence of moisture. Many of the monuments which were still standing were found to have but slight foothold in the ground and nearly all of them were set lower than before, for the double purpose of making them more steady and of lessening the chance of their being broken off above the base, as had sometimes happened in the past.

In the western part of the line, where such monuments were entirely lacking, it was necessary to supply them. In general shape the new posts are much like the old ones. The material is white marble from the quarries at Cockeysville, Maryland. This is a compact and fine grained stone, technically described as a saccharoidal dolomite or magnesian limestone. The pure white tint is sometimes varied by dusky streaks of bluish gray. This stone was favorably commended in regard to durability by the State Geologist of Maryland and could be obtained at a small price than any other satisfactory stone. These posts are four feet, six inches long, and ten inches square, terminating in a flat pyramid. Like the old monu-

ments, they have the letters P. and M. upon their north and south faces respectively. In addition, they have the year of the original survey (1766 or 1767) upon the east face and the year in which they were set on the line (1902) upon the west face.

It has been mentioned that these posts are ten inches on the side, a reduction of two inches from the size of the old monuments. This reduction was made chiefly for the purpose of increased portability, though there was also some saving in cost thereby. Though the facilities for transportation in the mountainous country west of Hancock are vastly superior to those enjoyed by Mason and Dixon, there are still many parts of the line which are difficult of access by road. After leaving the roads, the monuments had often to be hauled for long distances along rough forest trails and up steep mountain sides. The reduction of two inches in the breadth of the face of a monument effected a saving of more than 30 per cent. of its weight, without making it so small as to affect its permanence or proper appearance. These new monuments, being solid and in good condition, were not set in concrete bases, on account of the great additional expense which would have been caused by so doing. They were, however, very carefully set, broken stones and earth in thin alternate layers being well rammed down around them to make them as secure as practicable. Their bases were placed not less than three feet below the surface, unless solid rock was struck before reaching that depth, which rarely happened. In addition to these "P. and M." stones, two "crown stones" of the white marble were received in exchange for two of the ancient monuments, which were given, by authority of the Commissioners, to the Historical Societies of Maryland and Pennsylvania for preservation in their collections. These new monuments were made and delivered at the expense of the societies. The monument which is now at Baltimore formerly marked the end of the fiftieth mile on the west line, at a point near the village of New Freedom, Pennsylvania, on the Northern Central Railway. On account of an earth cut, made in the construction of a road along the line at that point, which left the monument on the slope of a caving bank, the stone fell from its place some years ago and was subsequently removed by a resident of the vicinity, who kept it for a considerable time on

his farm and later sent it to Baltimore, where it came into the possession of the Historical Society of Maryland. When the resurvey of the line was taken up and the monument was needed for use thereon, the society offered to furnish an exact facsimile in marble, if allowed to retain the original. As previously stated, this request was approved by the Commissioners, with the proviso that the Historical Society of Pennsylvania should be permitted to make a similar exchange. The monument now in the possession of the latter society, under this agreement, formerly marked the end of the one hundred and fifteenth mile on the west line. This point is on the "North Mountain," about two miles east of its highest point. The monument was removed from its place, in the year 1876, by the owner of the land on which it stood and was sent to Baltimore, where it remained for a quarter of a century, in the cellar of an old building on Cheapside. By a somewhat singular chain of circumstances it was possible to trace and recover this monument. As it was in a very excellent state of preservation it was well suited for a place in the rooms of the Pennsylvania society.

Of these two monuments, furnished by the societies mentioned, that from the Maryland society was returned to the place in which its original had stood, or rather to the nearest suitable spot, the summit of the hill a little east of the old point. But the place of the hundred and fifteenth mile post had been filled by an old crown stone from the source of supply in Washington County, conveniently near at hand, and the marble crown stone furnished by the Pennsylvania society was sent to the village of Ellerslie, a few miles north of Cumberland, Maryland, where it now marks the point at which the boundary crosses the public road at that place. It was thought that it might be well to give to the inhabitants of that section the opportunity of seeing a monument of this description, of considerable historic interest.

In addition to all of the foregoing, two very substantial monuments of Port Deposit granite were placed on the boundary, in the vicinity of the Susquehanna River. One of these is at "Grub Corner," where the road running north from Conowingo, Maryland, forks upon crossing the line into Pennsylvania. The other is at the foot of the bluff

on the west side of the Susquehanna, in line between Mileposts 23 and 24. From this new monument the old Milepost No. 23 is visible. These monuments are five and a half feet long, twelve inches square above ground, and have flat tops. Below the surface they were left rough, as they came from the quarry. They weigh probably about 1,000 pounds each. In Table XIII. of the Appendix is given a descriptive list of all the monuments now on the line, arranged in consecutive geographical order, from east to west.

In making the resurvey, trial lines were run for each section of the boundary much as Mason and Dixon ran theirs, except that no latitude observations were made in connection with them. The visible marks on the ground were, instead, used as guides in fixing the direction of a trial line and attention had of course to be given to the obstacles, such as buildings, orchards, heavy timber, etc., which might interfere with the direct course of a line but which could sometimes be avoided by care in the preliminary location. The trial line was sometimes north and sometimes south of the boundary, according to the nature of the country and the obstacles encountered. When practicable, the northern location was preferred, as the trial line would then be a chord of the arc and the offsets were less likely to be unduly long. The trial line was always kept as close to the boundary as was consistent with economy and with the avoidance of obstacles. From the vicinity of Sideling Hill to the western end of the work, the boundary crosses a series of steep sided and nearly straight mountain ridges, between which lie comparatively broad valleys, which are sometimes subdivided by minor ridges. These mountains, especially between Sideling Hill and Savage Mountain, have a remarkable parallelism, their direction in general being about 25° east of north, or west of south. In the majority of cases they are densely wooded and the opening of a line across all of them would have been a work of serious magnitude. Fortunately, however, a pipe line for the transfer of crude petroleum to the seaboard was carried through this country some years ago. West of Licking Creek, this pipe line follows the Pennsylvania side of the boundary quite closely to a point far beyond the western limit of Maryland. The cleared gap through which it runs generally shows conspicuous openings on the summits

of the high ridges and the trial line was usually made to pass through these, much labor being thus saved. Unfortunately, the course of the pipe line was so irregular that a straight line joining two summit gaps would rarely touch its course in the intervening valley. When the valleys were open, the necessary intermediate points were easily aligned; and when woods interfered, points on the straight trial line were interpolated only at places where monuments were needed. Such places were usually on the summits of the minor ridges, when there were such, in order that successive monuments might be intervisible, whenever possible. Distances between such points were obtained by a stadia traverse carried along the pipe line and connected at intervals with the straight line.

Whenever the trial line reached a monument or other mark established by Mason and Dixon, its distance from the object was care-

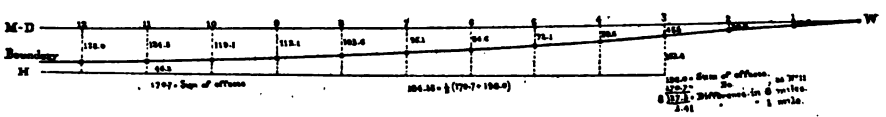


FIG. 2. Diagram showing trial lines of original survey and resurvey and offsets from these to mile posts.

fully measured with an accurate steel tape. These measures gave the means of making a direct connection with the work of Mason and Dixon and of fixing the position of a missing monument by reference to those found in place.

This matter will perhaps be more clearly understood after inspecting the diagram given above, which represents the first twelve miles of the parallel laid out by Mason and Dixon, together with their trial line, the trial line of this resurvey, and the offsets from these lines to the successive mile posts. This distance of twelve miles covers, however, only nine miles of the present boundary between Pennsylvania and Maryland, as the northeast corner of the latter State nearly coincides with the third mile post of Mason and Dixon's original measurement. Their trial line was north of the boundary and is represented in the diagram by the line marked M-D. The

trial line of the resurvey was south of the boundary and is represented by the line marked H. The point marked W represents the initial point of Mason and Dixon's parallel of latitude, the often mentioned "Post mark'd West in Mr. Bryan's field."

As stated by Mason and Dixon, the offsets from their trial line to the boundary increase from zero at the starting point to 128 feet at the end of 12 miles. These several offsets are given in Table I, and are also indicated in the diagram.

When the new trial line was run, there was no monument at the point marked 12, the present No. 9. At the point marked 11, the rectangular offset from the new line was 46.2 feet, while at the point marked 3 the corresponding offset was 152.4 feet.

As the new trial line was on the opposite side of the boundary from the old one, the distances between these two lines at the points mentioned will be the sums of the old and new offsets at the respective points. These sums, as indicated in the diagram, are 170.7 feet at No. 11 and 198.0 feet at No. 3. The interval between the old and new lines therefore varies 27.3 feet in 8 miles, or 3.41 feet per mile. At the middle point, 7 miles from W, the interval between the trial lines would be $170.7+\frac{1}{2}(27.3)$, or $\frac{1}{2}(170.7+198.0)$, that is 184.35 feet. The distance of the monument at No. 7 from the new trial line should then evidently be equal to 184.35—95.1, or 89.25 feet. But the monument at No. 7 happened to be standing and its measured distance from the trial line was actually 88.03 feet, or 1.22 foot less than it should have been according to the computation. At first glance, this may seem an unduly large discrepancy; but when all of the circumstances are considered, it will appear that such differences are to be expected and that even larger deviations from theoretical exactness should not cause surprise. This discrepancy is the resultant of the errors in the positions of the three monuments considered and these may have been affected by various influences. When the boundary was first surveyed, the country was still wild and the line was carried through a gap cut in the woods. Some time after the trial line had been run, the offsets were measured to the south at each mile post and another gap, or "Visto," was cut along the boundary,

Still later, the stone monuments were brought in and placed, as noted by Mason and Dixon, "73 Links Eastward of the Mile Posts; so that they stand at even miles from the North-East end of the Province of Maryland, or the beginning of the West Line." In all of these operations, conducted in rough and wooded country, there were opportunities for errors to creep in. This was especially the case when they came to set the monuments 73 links east of the old mile posts. There is no mention of the use of an instrument for their correct alignment and it is altogether likely that the positions for the stones were aligned by eye, sighting along the middle of the "Visto." It is also probable that a matter of a foot or two either way would not be considered of special importance in the division of this extensive territory, then very sparsely settled. In general, such discrepancies are small; and even where they are largest, as in the rough mountainous regions, they are not of serious moment and would not be perceptible on a map of the line, unless it were drawn on a very large scale. In some sections of the boundary, all or nearly all of the monuments were found in place, while in other sections many were missing. The above illustration will serve to explain the fundamental principle depended upon for the restoration of lost positions and the series of diagrams given in the text will clearly show the application of the principle in the various instances.

In order to know the approximate direction of the trial line and hence of the various portions of the boundary, solar azimuths were observed at one or more points on each section of the line. These observations and the computations dependent upon them may be found in the text.

It has already been mentioned that one of the objects kept in view in the resurvey was the preparation of a topographic map of the country along the boundary. If this had been the chief purpose of the survey, it would have been best accomplished by a plane table traverse. But the line had actually, in any event, to be run out with the transit and it was therefore thought better to do the topographic work at the same time, in order to avoid the necessity of again going over the line, with a different instrument. The transit and stadia

method was therefore used in the topography, the directions and distances of the various objects included in the map being noted on free-hand sketches in note books. The sketches were subsequently platted on the scale of 250 feet to an inch, or one three-thousandth part of nature. These drawings have been arranged upon sixty-seven atlas sheets, each 27 inches long by 20 inches wide, each sheet including about three miles of the line.*

The distances along the line were measured by the stadia, or optical distance measure system. For this purpose, the eyepiece of the instrument is provided with parallel horizontal lines, commonly called threads or wires. When a suitably arranged scale, painted on the face of a rod which is held at the point whose distance is desired, is viewed through the telescope, a certain portion of the scale will be intercepted between the parallel lines of the eyepiece. The angle between the lines remaining constant, the portion of the scale intercepted is proportional to the distance of the rod from the instrument. A variation of the method is to use a fixed length on the scale, or two targets on a road, and to have one of the instrument wires movable. This movable wire is actuated by a screw and its angular distance from the fixed wire is determined by the number of turns of the screw. The number of turns with a given length of rod will vary inversely with the distance. This method is more suitable for long distances which are beyond the reach of the fixed wires. The larger instrument used in this survey was provided with such an eyepiece micrometer, and it was used in cases where the fixed wires could not be employed.

The valuable instrumental outfit needed for the work was loaned by the Coast and Geodetic Survey and the facilities of the repair shops of that organization were available in case the instruments suffered accidental injury, as sometimes happened. This assistance was of very great value and saved the States interested a very considerable sum of money.

*Complete sets of signed photographs of these sheets on the scale of 500 feet=1 inch have been filed with the authorities in Maryland, Pennsylvania and Washington. The Plates reproduced in this report are reductions of these maps to the scale of 1000 feet=1 inch.—*Ed.*

Besides various auxiliary instruments, such as heliotropes, binoculars, and reconnoitering telescopes, the principal instruments used were a seven-inch transit theodolite, made by Buff & Berger, of Boston, and a six-inch engineers' transit made by Fauth & Co., of Washington. The seven-inch theodolite was used for all of the azimuth observations and for the alignment of the principal points in the mountainous sections, where long sights could be obtained. A considerable part of the detailed work along the line, and of the topography, was also done with this instrument, which was used solely by the engineer in charge of the survey. The engineers' transit was used in the remainder of the work of alignment and of topographic sketching and was generally used by an assistant.

Three assistants were employed for various periods in the course of the survey. Mr. Howard Taylor, who had charge of the transit during the work in the fall of 1900, subsequently accepted a position with the Pennsylvania Railway and did not return to this work. Mr. Robert H. Blain, who had been connected with the party in another capacity during Mr. Taylor's service, succeeded him at the transit and, with some interruptions, served in that capacity throughout the survey. Both of these gentlemen gave careful attention to the important duties confided to them. Mr. Edward R. Martin rendered very valuable service as foreman in setting monuments and also sometimes assisted with the transit. His energy and persistence in the transportation of the heavy blocks of stone to even the most inaccessible places, his personal industry, and his skill in handling men are deserving of high praise.

In addition to these skilled assistants, the usual laborers, rodmen, axemen, etc., were employed from time to time, as occasion required. Transportation was obtained by the hire of horses and wagons, as needed, at the nearest available point. Living accommodations for the party were obtained from the inhabitants of the country traversed, who generally showed a disposition to facilitate the operations of the survey by furnishing board and lodging when necessary. There were, of course, exceptions and in some districts it was necessary to live in the towns and to drive inconveniently long distances to the daily

work. Similar differences were found in the attitude of the farmers toward the survey. In general, the landowners were either indifferent or favorably disposed, but in some places, especially in the eastern part of the line, many farmers were quite hostile, in spite of very careful explanations of the nature and object of the survey and of very great care to avoid damage to growing crops. This hostility usually took the form of destroying the stakes which marked the trial line and in this way sometimes caused a good deal of annoyance and delay. The temporary trouble caused in this way is, however, trifling in comparison with the permanent danger to the marks along the boundary due to the far too prevalent notion that a landowner has a right to dispose of a monument, which happens to stand on his land, in accordance with his own desires. In some cases, the information at hand indicated that landowners, who were intelligent enough to realize the illegality of removing a boundary mark, did not hesitate to break off a monument at or below the surface of the ground and then to ascribe the mutilation to accident. In one or two instances, it was found desirable in restoring monuments to select places outside of the fields in which they would have properly fallen, for fear that their former destruction might be repeated. Happily, such extreme cases are infrequent.

It is suggested that, in order to avoid any possibility of future dispute in regard to the location of the boundary, acts ratifying the results of this survey be prepared and submitted to the General Assemblies of the two States for their consideration. It is thought that such acts should provide that the boundary be held to run in straight lines from center to center of the successive monuments. This is in accord with the usage of the Supreme Court of the United States in similar cases.

In this connection, it may do no harm to repeat that no change has been made in the boundary line as it was originally laid out and that the greatest care has constantly been taken to insure the accurate reproduction of that original line, in places where it has been temporarily effaced.

In closing this report, the engineer in charge gratefully acknowledges the constant kindness and consideration of the Commissioners and their patience with the unexpected delays which have occurred in the completion of this work, on account of other imperative official demands upon his time.

W. C. HODGKINS,
Engineer in Charge.

To

O. H. TITTMANN, Superintendent of the Coast and Geodetic Survey.
DR. WM. BULLOCK CLARK, State Geologist of Maryland.
MAJ. ISAAC B. BROWN, Secretary of Internal Affairs of Pennsylvania.

} COMMISSIONERS.

List of Monuments Now Existing on the Boundary Between Maryland and Pennsylvania, Arranged in Geographical Order From East to West.

1. Initial Monument, standing at the northeastern corner of Maryland. This is a heavy granite post placed by Lieut.-Col. J. D. Graham in 1849. It stands at the bottom of a ravine and is partly buried by earth washed from the hillside.
2. Milestone No. 1, set by Mason and Dixon in 1766. Now in south edge of line road.
3. Milestone No. 2, M. & D., 1766, in field north and east of bend of road.
4. Milestone No. 3, M. & D., 1766, in fence line on hill west of Big Elk creek.
5. Milestone No. 4, M. & D., 1766, in field west of lane south and east of village of Lewisville, Pa.
6. Milestone No. 5, M. & D., 1766, "crown stone," in field south and west of Lewisville, Pa. This stone had been mended with iron clamps.
7. Milestone No. 6, M. & D., 1766, in field on hill top west of Little Elk Creek.
8. Milestone No. 7, M. & D., 1766, in field north and east of road leading from Fairview, Md., to Elk Mills, Pa.
9. Milestone No. 8, M. & D., 1766, on edge of woods west of cross roads, near the village of Lombard, Md. The upper part of this monument was split and it was repaired by shrinking iron bands upon it and filling the crack with cement.
10. Milestone No. 9, M. & D., 1766, in field east of road leading from Lombard, Md., to Chrome, Pa. The position of this monument had been lost. It was redetermined and the stone was then reset.
11. Milestone No. 10, M. & D., 1766, "crown stone," in line of fence east of road leading from Calvert, Md., to Chrome, Pa.
12. Milestone No. 11, M. & D., 1766, on south side of "line road" and just west of its junction with a north and south road.
13. Milestone No. 12, M. & D., 1766, east of Sylmar, on south side of "line road."
14. Milestone No. 13, M. & D., 1766, in woods west of Sylmar. This monument was found broken off below the surface of the ground and the position lost. This was redetermined and the fragment of the base was then found by digging.
15. Milestone No. 14, M. & D., 1766, near a small stream and just west of a road which crosses the boundary from northwest to southeast. This monument was almost completely buried in a swamp and was very much out of plumb before resetting.

16. Milestone No. 15, M. &. D., 1766, "crown stone," in hedge row west of road leading north from Rising Sun, Md.
17. Milestone No. 16, M. & D., 1766, in a field near the woods, in a locality known as Goat Hill.
18. Milestone No. 17, M. & D., 1766, in a hollow between two roads east of Octoraro Church.
19. Milestone No. 18, M. & D., 1766, in a bushy pasture in bend of Octoraro Creek and between the second and third crossings of same. This monument was in a fine state of preservation, being in a secluded spot and rarely visited.
20. Milestone No. 19, M. & D., 1766, in field west of woods bordering the Octoraro valley and east of the road leading northeast from Rock Springs, Md.
21. Milestone No. 20, M. & D., 1766, "crown stone," in fence line in scattering woods north of road leading from Rock Springs, Md., to Pleasant Grove, Pa.
22. Milestone No. 21, M. & D., 1766, in edge of woods on hillside west of Conowingo Creek. This monument had been mended with iron c'amps.
23. New granite monument at fork of road leading north from Conowingo. Md., to Pleasant Grove and Grub Corner, Pa. This takes the place of original Milestone No. 22, which was situated in the bottom of a hollow a little farther west and had been washed out and destroyed by the formation of a gully.
24. Milestone No. 23, M. & D., 1766, in woods on the top of the bluff on the eastern side of the Susquehanna river.
25. New granite monument at the foot of the bluff on the western bank of the Susquehanna river and a short distance west of the old canal.
26. Milestone No. 24, M. & D., 1766, in grass field, a little west of the edge of woods on the top of the bluff on the western side of the Susquehanna. From this monument, Milestone No. 23 would be visible but for trees on the edge of the bluff.
27. Milestone No. 25, M. & D., 1766, "crown stone," in open field, a short distance north of a road leading westward from the Susquehanna towards Cardiff, Md. This stone showed more than the average weathering.
28. Milestone No. 26, M. & D., 1766, in an orchard to the westward of a farmhouse situated on the west side of the road leading southeastward from Slate Hill, Pa., to Conowingo Bridge, Md.
29. Milestone No. 27, M. & D., 1766, in open field, a little west of a house and barn on the west side of a road crossing the boundary from northwest to southeast.
30. Milestone No. 28, M. & D., 1766, in edge of pasture and bush lot, on top of hill next east of the slate ridge at Delta and Cardiff.
31. Milestone No. 29, M. & D., 1766, in the town of Cardiff, between the main street and the Maryland and Pennsylvania R. R. The position

of this stone had been lost and the monument itself was badly broken. The position was redetermined and the monument was repaired and reset.

32. Milestone No. 30, M. & D., 1766, "crown stone," in fence line, in a valley a mile west of Cardiff. The monument stands just north of a small stream and a short distance west of a wooded hill.

33. Milestone No. 31, M. & D., 1766, in an open field south and east of the road leading northeastward from Graceton, Md.

34. Milestone No. 32, M. & D., 1766, in a small pasture between a farmhouse and a blacksmith shop at the bend of the road leading from Graceton to Constitution. The entire south side of the upper part of this monument was broken off and lost.

35. Milestone No. 33, M. & D., 1766, a short distance east of Constitution, Pa., and on the south edge of the "line road."

36. Milestone No. 34, M. & D., 1766, in fence line near corner of woods, east of a road crossing the boundary from northeast to southwest.

37. Milestone No. 35, M. & D., 1766, "crown stone," in fence line on side hill, a little east of the road leading south from Fawn Grove, Pa.

38. Milestone No. 36, M. & D., 1766, about southwest of Fawn Grove, Pa., and on north side of "line road," a little west of its junction with a road crossing the boundary in a direction nearly north and south.

39. Milestone No. 37, M. & D., 1766, on south side of same line road, on the hill east of Big Branch.

40. Milestone No. 38, M. & D., 1766, at the southeast corner of the intersection of the line road by the road leading south from Newpark, Pa.

41. Milestone No. 39, M. & D., 1766, in fence line on north side of farm lane on west side of road leading from Newpark, Pa., to Norrisville, Md.

42. Milestone No. 40, M. & D., 1766, in open field just east of road leading from Norrisville, Md., to Draco, Pa., and where a section of "line road" starts westward. Only the base of this old "crown stone" remains in the ground, the upper portion of the monument having been broken off and removed. The position was located by the survey and the base was found in place, but owing to the adverse attitude of the owner of the ground, it was not thought expedient to replace the monument in the same position. The base was left in place and the monument next to be mentioned was established to take its place as a visible mark.

43. A "crown stone" brought from Washington County, Md., and placed a short distance to the westward of the preceding monument, in the intersection of the two roads mentioned. It is situated in the grassy triangle between the wagon tracks.

44. Milestone No. 41, M. & D., 1766, in a fence line in a valley and just east of a marshy stream.

45. Milestone No. 42, M. & D., 1766, in a fence line and a short distance east of the road leading north from Gorsuchs Mills, Md., to Stewartstown, Pa.

46. Milestone No. 43, M. & D., 1766, was in this vicinity, but the monument had disappeared and its position was lost. It seems probable that it formerly stood near a road in the bottom of a small valley, but this situation was unfavorable for the preservation of a monument on account of the amount of wash from the hillside and of water seeping through the soil. One of the monuments brought from Washington County, Md., was therefore placed on the boundary, at the top of the hill next east of the road, where it stands in a fence line. The place is about northwest of Gorsuchs Mills.

47. Milestone No. 44, M. & D., 1766, in a fence line on the hillside about half a mile west of the crossing of the boundary by Deer Creek.

48. Milestone No. 45, M. & D., 1766, in heavy woods about a mile northeast of the village of Maryland Line, Md. The monument was out of the ground and lying on the steep hillside. It was placed in a better location on the boundary on the rocky ridge just east of where it was found.

49. Milestone No. 46, M. & D., 1766, in an open field, a short distance east of the Baltimore and York turnpike and about half a mile north of the village of Maryland Line, Md.

50. Milestone No. 47, M. & D., 1766, in an open field and close to a short section of road closely following the boundary, about a mile west of the "pike."

51. Milestone No. 48, M. & D., 1766, in a pasture just west of the road next east of the Northern Central R. R. The place is about a mile and a half to the southward and eastward of New Freedom, Pa.

52. Milestone No 49, M. & D., 1766, just east of the eastern angle of a short section of "line road," where the same turns northeastward toward New Freedom, Pa.

53. Marble "crown stone" replacing the original Milestone No. 50, of Mason and Dixon, which had been washed out of the ground and subsequently removed to Baltimore, where it came into the possession of the Maryland Historical Society. The Society furnished in exchange for it a duplicate in white marble. Owing to the present unsuitability of the original site, which caused the first stone to be washed out, the new monument was placed on the summit of the hill and just east of the intersection of the "line road" with the road that leads north and east toward New Freedom.

54. Milestone No. 51, M. & D., 1766, in a fence line on the north side of a lane and just west of a farmhouse. About three quarters of a mile east of Stiltz, Pa.

55. Milestone No. 52, M. & D., 1766, in a small orchard on the south side of the lane leading west from Stiltz.

56. Milestone No. 53, M. & D., 1766, in a fence line, a short distance west of a road which crosses the boundary.

57. Milestone No. 54, M. & D., 1766, in thick woods, a short distance north of a road which here runs nearly east and west, bending to the southward as it goes east.

58. Milestone No. 55, M. & D., 1766, "crown stone," at forks of road about a mile east of the the village of Lineboro, Md.

59. Milestone No. 56, M. & D., 1766. This monument is alongside a mill on the western edge of the village of Lineboro. At the time of the survey, the monument was found in the basement of the mill, having been removed from its original position, probably at the time the mill was built. It was placed on the boundary just on the west side of the mill and in view of the Western Maryland R. R., which here crosses the boundary.

60. Milestone No. 57, M. & D., 1766, in an open field and near line of fence, on a rise of ground about a mile west of Lineboro.

61. Milestone No. 58, M. & D., 1766, in edge of an open glade in woods two miles west of Lineboro.

62. Milestone No. 59, M. & D., 1766, in the edge of a farm lane leading westward from a fork of the road which eastward nearly follows the boundary. The monument is just west of a small piece of woods. This monument was out of the ground and its position had therefore to be redetermined.

63. Milestone No. 60, M. & D., 1766, "crown stone," in hollow on west side of the Baltimore and Hanover turnpike.

64. Milestone No. 61, M. & D., 1766. Monument in fair condition.

65. Milestone No. 62, M. & D., 1766.

66. Milestone No. 63, M. & D., 1766.

67. Milestone No. 64, M. & D., 1767. This is the last monument on the border of York County, Pa. When the work of setting monuments in the Autumn of 1766 had reached this vicinity, this monument was omitted, while No. 65 was set.

68. Milestone No. 65, M. & D., 1766, "crown stone," on south side of line road.

69. Milestone No. 66, M. & D., 1767.

70. Milestone No. 67, M. & D., 1767. This monument stood nearly in the middle of a short section of line road, southeast of Littlestown, Pa., and had been worn down until there was little left of it. For the better preservation of the boundary at this point, another monument was set a short distance farther east, on top of the hill, where the road swerved a little to the southward, leaving the monument on the north side of the road.

71. Milestone No. 68, M. & D., 1767, in fence line, west of the Baltimore turnpike.

72. Milestone No. 69, M. & D., 1767. Monument in good condition.

73. Milestone No. 70, M. & D., 1767, "crown stone." This monument was out of the ground and its position was lost. As the place where it

was found was in a marshy thicket near Piney Creek and hence of little service as a landmark, it was moved to the rocky ridge a short distance west, from which a good view can be had to the westward, across the Frederick Division of the Pennsylvania R. R.

74. Milestone No. 71, M. & D., 1767. Monument was found broken.

75. Milestone No. 72, M. & D., 1767. Monument in good condition.

76. Milestone No. 73, M. & D., 1767. Near Alloway Creek.

77. Milestone No. 74, M. & D., 1767.

78. Milestone No. 75, M. & D., 1767. In an open field near the village of Harney, Md. This monument was very badly broken and was therefore replaced by a "crown stone," in good condition, brought from Washington County, Md.

79. Milestone No. 76. M. & D., 1767, situated on the north side of Marsh Creek and west of Rock Creek, in an open field, not far from the point where the two streams unite to form the Monocacy River.

80. Milestone No. 77, M. & D., 1767, situated on the north bank of Marsh Creek, a short distance west of a ford.

81. Milestone No. 78, M. & D., 1767. This monument was out of the ground and its position was lost. This was redetermined and the stone was reset as usual.

82. Milestone No. 79, M. & D., 1767. This monument was out of the ground and was so badly broken up that it could not be repaired. Its position was redetermined and it was replaced by another monument brought from Washington County, Md.

83. Milestone No. 80, M. & D., 1767. A "crown stone." This monument was found lying on the ground, but its former position was plainly indicated by a depression in the ground near its base, and as this position was found to agree with other neighboring monuments the monument was reset in that place. The location is northeast of Emmitsburg, Md., and a little west of Middle Creek. The monument stands in a little open glade between clumps of woods.

84. Milestone No. 81, M. & D., 1767, in an open field nearly north of Emmitsburg and west of the Gettysburg road. This monument was lying on the ground, broken. It had to be repaired and its position to be redetermined.

85. Milestone No. 82, M. & D., 1767. Close to a stone wall on the west side of a small creek called Flat Run. This monument was out of the ground.

86. Milestone No. 83, M. & D., 1767, stands in an open field, on the hill west of the Emmitsburg and Waynesboro turnpike.

87. Milestone No. 84, M. & D., 1767. This stone stands in the edge of a thicket, a short distance west of the road leading from Mount St. Mary's to Fountaindale. It has suffered unusual damage from vandals and preserves little of its form.

88. Milestone No. 85, M. & D., 1767. This "crown stone" is in good condition and stands in a garden on the north side of the Friends Creek road, in the eastern edge of the Blue Ridge.

89. Milestone No. 86, M. & D., 1767. In thick woods on the side of a mountain.

90. Milestone No. 87, M. & D., 1767. In a fence line at the foot of the mountain on the eastern side of the open, cultivated part of the valley of Friends Creek and a short distance east of the road. The upper part of this monument had been broken nearly squarely off. The upper end of the remaining fragment was dressed to the same pattern as the original, with the letters P. and M., as usual. After being so repaired, the monument was reset.

91. Milestone No. 88, M. & D., 1767. Close to the north side of a byroad, in a valley about a mile and a half east of Blue Ridge Summit station of the Western Maryland R. R.

92. Milestone No. 89, M. & D., 1767. A monument was presumably placed at this point by Mason and Dixon, but no trace of it could be found. The position was redetermined and a monument obtained in Washington County was placed here. It stands in a marshy thicket about half a mile east of Blue Ridge Summit station.

93. Milestone No. 90, M. & D., 1767. This is a "crown stone" and stands in a little strip of woods on the southeast side of a road, in the village of Highfield. This monument had been covered with a wire cage to protect it from the attacks of vandals. When the monument was reset this was repaired and refastened.

94. Milestone No. 91, M. & D., 1767. This stands on a rocky, forested mountain side, a short distance east of Pen-Mar station. This monument has been badly mutilated by vandals, but is now protected by a stout wire cage.

95. Milestone No. 92, M. & D., 1767. In a field at the base of the Blue Ridge, on its western side.

96. Milestone No. 93, M. & D., 1767. In a fence line, near Midvale, Pa.

97. Milestone No. 94, M. & D., 1767.

98. Milestone No. 95, M. & D., 1767.

99. Milestone No. 96, M. & D., 1767. East of Little Antietam Creek.

100. Milestone No. 97, M. & D., 1767. West of Little Antietam Creek.

101. Milestone No. 98, M. & D., 1767. In fence line, about a mile and a half east of Marsh Run.

102. Milestone No. 99, M. & D., 1767. The monument placed here by Mason and Dixon had disappeared, having apparently been broken up, as small pieces of its peculiar material were found. The position was redetermined and another monument supplied. It stands by the side of the road leading from Greencastle to Leitersburg.

103. Milestone No. 100. This is a "crown stone" and stands on the north side of the road leading from Reid station on the Altenwald Cutoff

R. R. to Marsh Run. The monument placed here by Mason and Dixon had disappeared and one of those obtained in the vicinity of Clearspring was used to replace it. This monument was in fine condition and was perhaps the longest of all the old monuments. The point locally reputed to be the position of the old monument, in the middle of the piked road mentioned in the report, dated May 2, 1898, by Messrs. Hewitt, Moyer and Winddolph, Examiners for the State of Pennsylvania, was found to be out of the proper position both in line and distance and probably had no better authority than uncertain tradition.

104. Milestone No. 101, in a fence line in open ground, about three quarters of a mile west of the Altenwald Cutoff R. R. This was an M. & D. stone of 1767.

105. Milestone No. 102, M. & D., 1767. In an open field southeast of a piece of woods about three quarters of a mile east of the village of Middleburg. The old monument had been broken off below the surface of the ground and its position was lost. The proper place was redetermined by the survey and the base of the stone was found by digging. After being repaired with iron clamps and bands the monument was reset.

106. Milestone No. 103, M. & D., 1767. This monument was found lying on the ground on the south side of the road leading from Middleburg to Mason and Dixon station on the Cumberland Valley R. R. The road runs along the boundary and there was a slight cut at the point where the stone was found, which probably caused it to be washed out. For its better preservation in the future, the monument was placed on the line at a point a few yards to the eastward of its former position. It now stands on a solid ledge in the entrance to a farm lane, on the south side of the line road.

107. Milestone No. 104, M. & D., 1767. In the fence line on the south side of the line road and about half a mile east of the Cumberland Valley R. R.

108. One of the Mason and Dixon monuments which had formerly been in use as a horse block at a neighboring farmhouse and now standing on the east side of the right of way of the Cumberland Valley R. R., at the station called Mason and Dixon. The railway company had secured it and had placed it approximately on the line. Its position was corrected and it was then set in masonry by the railway.

109. Milestone No. 105, M. D., 1767. A "crown stone," standing in the back yard of a farmhouse on the south side of the road leading west from Mason and Dixon station and east of the Greencastle and Williamsport turnpike.

110. Milestone No. 106, M. & D., 1767. In a fence line on top of the hill on the east side of Conococheague Creek.

111. Milestone No. 107, M. & D., 1767. In an open field just west of the road leading from Hagerstown to Welsh Run.

112. Milestone No. 108, M. & D., 1767. In a valley a mile west of the road mentioned.

113. Milestone No. 109, M. & D., 1767. On rising ground east of a road leading south from Welsh Run.

114. Milestone No. 110, M. & D., 1767. A "crown stone."

115. Milestone No. 111, M. & D., 1767. This monument was found in the door yard of a farmhouse near the western border of the Cumberland Valley. It was much out of line, and as the buildings and trees prevented it from being seen from either direction, it was thought advisable to locate it on the open ridge next to the westward. It stands in the line of a fence which crosses the boundary from north to south.

116. Milestone No. 112, M. & D., 1767. On the side of a small valley at the foot of the North Mountain.

117. Milestone No. 113, M. & D., 1767. On the Tuscarora Mountain.

118. Milestone No. 114, M. & D., 1767. A little east of the road running through Blairs Valley.

119. Milestone No. 115, M. & D., 1767. The "crown stone" which formerly stood at this point was removed by a former owner of the land and was sent to Baltimore, where for many years it lay in the cellar of a mercantile establishment on Cheapside. It was found there by the writer and was recovered for use on the line, but, as stated in the preceding report, it was given to the Historical Society of Pennsylvania in exchange for a replica in white marble. Meanwhile, one of the crown stones found near Clearspring was set here in place of it. The laborer who assisted in the removal of the original monument was found and pointed out the place from which it was taken. This spot was found to be in harmony with the survey and was accordingly accepted as correct and the monument was reset there.

120. Milestone No. 116, M. & D., 1767. In thick woods on the eastern slope of Hearthstone Mountain, just west of the "Punch Bowl."

121. Milestone No. 117, M. & D., 1767. In thick woods on the summit of Keefer Mountain.

122. Milestone No. 118, M. & D., 1767. In Little Cove Valley, on the western slope of Keefer Mountain.

123. Milestone No. 119, M. & D., 1767. On hillside west of Little Cove Valley, between the Coon Ridge road and the next road eastward.

124. Milestone No. 120, M. & D., 1767. A "crown stone," on the small hill west of the first crossing of Licking Creek and near a wagon trail. This monument had been broken off above the ground. It was repaired and reset.

125. Milestone No. 121, M. & D., 1767. On hill west of the last crossing of Licking Creek and close to a wagon trail, which runs nearly east and west.

126. Milestone No. 122, M. & D., 1767. Near angle of public road on west side of Elbow Ridge.

127. Milestone No. 123, M. & D., 1767. In fence line on summit of Pigskin Ridge and about half a mile west of the corner of Franklin and Fulton counties, Pa. From this ridge an extensive view may be obtained, reaching as far eastward as the summit of Keefer Mountain.

128. Milestone No. 124, M. & D., 1767. On the west side of Ditch Run and east of Timber Ridge. This monument is rather badly mutilated, the letter M being partly broken away.

129. Milestone No. 125, M. & D., 1767. A "crown stone," in good condition on top of the steep hill on the east side of Great Tonoloway Creek and west of the Timber Ridge road.

130. Milestone No. 126, M. & D., 1767. On high hill west of Great Tonoloway Creek and about half a mile southeast of "Dogtown."

131. Milestone No. 127, M. & D., 1767. In fence line on the east side of the public road leading from Hancock, Md., to Worfordsburg, Pa. The monument placed here by Mason and Dixon had disappeared and no trace of it could be found by digging, which was resorted to on account of the theory advanced by some persons, and apparently reasonable, that the monument might have been covered by earth washed from the slope above. Another monument was supplied and is believed to be secure in its present location.

132. Milestone No. 128, M. & D., 1767. On the west side of a small stream flowing southward into Tonoloway Creek. This monument is badly mutilated.

133. Milestone No. 129, M. & D., 1767. At the foot of Tonoloway Ridge, on its east side, and west of the public road which runs parallel to the ridge.

134. Milestone No. 130, M. & D., 1767. A "crown stone," on a lower ridge west of Tonoloway Ridge and Creek. The original monument at this place had been broken into many fragments and another was supplied from the vicinity of Clearspring.

135. Milestone No. 131, M. & D., 1767. Near the last crossing of Tonoloway Creek.

136. Milestone No. 132, M. & D., 1767. Near the eastern base of Sideling Hill and east of the road leading to the summit of the ridge. This monument is badly mutilated. This is the most western of the monuments planted by Mason and Dixon, the rough character of the country westward and the absence of roads having prevented them from taking wagons beyond this point.

137. A monument newly set in a large mound of stone built by Mason and Dixon in 1767. It stands on the summit of Sideling Hill and on the south side of the gap through which the pipe line passes. A very rough wagon trail leads to the place, along the crest of the ridge, through the woods, from the road which crosses the hill. This point

commands a fine view, both east and west. The monument placed here is one of the old Mason and Dixon stones from the Clearspring district.

138. One of the old monuments, placed on the boundary in the open field on the western slope of Sideling Hill and near its base.

139. One of the old Mason and Dixon monuments, placed at the center of a large earth mound on the summit of the ridge between Bear Creek and Sideling Hill Creek and about two miles west of the summit of Sideling Hill. This mound is a short distance south of the house of George Hoopengardner.

140. Part of one of the old Mason and Dixon monuments, on a high ridge about one third of a mile west of the mound last mentioned. The monument stands on the east side of the road leading northeastward from Bellegrove, Md.

141. Stone monument, placed on the boundary in the valley of Sideling Hill Creek. It stands near the line of a fence in the woods on the south side of the creek and west of the public road, at Bodine's Ford, where the road from Bellegrove, Md., to Barnes Gap, Pa., crosses the creek.

142. Stone monument placed by the side of the road running northeast and southwest along the ridge on the west side of Sideling Hill Creek and about three quarters of a mile from the monument at Bodine's Ford.

143. Stone monument by the side of the road leading from Barnes Gap, Pa., to Piney Grove, Md., along the base of Town Hill, on its eastern side.

144. One of the old Mason and Dixon "crown stones," set in the center of a large mound of earth on the summit of Town Hill, the first high mountain west of Sideling Hill, from which its distance is about five and a half miles. This monument stands at the corner of Fulton and Bedford counties, Pa.

145. In open ground on the western slope of Town Hill and near its base, a little west of the intersection of the road crossing Town Hill from Piney Grove, Md., with the road which follows the western side of the hill to Barnes Gap, Pa.

146. Stone monument on Piney Ridge, about three quarters of a mile from the last mentioned monument.

147. Stone monument on the summit of Green Ridge, about four-tenths of a mile from Piney Ridge. This monument stands in thick woods, south of the pipe line, and near it were some piles of stones which had the appearance of having been erected as boundary marks, but by different persons. They did not agree among themselves and were so far from Mason and Dixon's line as to preclude the idea that any of them could have been built by those surveyors.

148. Stone monument in the center of a large mound of earth on Lick Ridge, about three quarters of a mile west of Green Ridge. This is a very large and well preserved mound, but Lick Ridge is so inconspicuous

an eminence that it seems strange that Mason and Dixon should have built a mound here rather than on the very prominent Green Ridge, so short a distance to the eastward.

149. Stone monument in thick woods on summit of ridge east of Fifteenmile Creek and west of a branch entering it from the northeastward. Public roads run through these valleys. This monument is less than a mile from the Lick Ridge Mound.

150. Stone monument in edge of woods and open field on the summit of ridge between Fifteenmile Creek and Bear Camp Branch and nearly a mile west of the preceding monument.

151. Stone monument in woods on ridge west of the Bear Camp Branch and east of the road which runs northeastward along the eastern base of Ragged Mountain.

152. Stone monument placed at the center of a large mound of stones on the summit of Ragged Mountain, built there by Mason and Dixon in 1767. The monument is one of the old Mason and Dixon "crown stones" and is the most western of the old monuments now on the boundary.

153. Stone monument on the summit of Polish Mountain, which is a ridge parallel to Ragged Mountain and about half a mile west of it. The monument stands near a fence, a little east of the road which runs along the ridge.

154. Stone monument on the east side of Town Creek. The monument stands in the fence line on the east side of the byroad which parallels the creek.

155. Stone monument placed at the center of an old mound of stones on the southern slope of a mountain called Little Warrior by Mason and Dixon, but designated as Iron Ore Ridge on the topographic map of the State of Maryland.

156. Stone monument on the flat ridge about a mile west of the above mound and west of the bend of a road leading southwestward to a point on Flintstone Creek about three-quarters of a mile north of the village of Flintstone, Md.

157. Stone monument on the summit of a sharper ridge, sometimes called Middle Ridge, about three quarters of a mile west of the preceding.

158. Stone monument placed at the center of a large mound of stones on the crest of the ridge where the boundary crosses what Mason and Dixon called the Great Warrior Mountain, now called Tussey Mountain on the Maryland Topographic map. This mound was found in rather bad condition, having been pulled to pieces by rabbit hunters, but its outline was plainly discernible and after the monument had been set in place the mound was rebuilt around it.

159. Stone monument, standing a little south of fence line in a field, open except for some bushes, at the foot of Martin Mountain, on its eastern side. The location is a little to the eastward of a farm road, which forks here.

160. Stone monument placed in the center of a mound of earth in fence line on the summit of Martin Mountain.

161. Stone monument by side of road running through Pleasant Valley, between Martin and Evitts Mountains.

162. Stone monument in large mound of stones on the summit of Evitts Mountain, but on the western edge thereof. The mound is in thick woods, a little south of the pipe line, from which opening there is a fine view east and west.

163. Stone monument on a narrow ridge northeast of the village of Hazen, Md., and a little less than a mile from the mound on Evitts Mountain.

164. Stone monument, close to the fence on the northwest side of the road leading west from Hazen, at the point where it turns to the southwestward toward Cumberland.

165. Stone monument in small mound of stones on Shriver Ridge, about five-eighths of a mile west of the preceding monument. This monument stands a short distance to the northeastward of the "Centennial Church." The mound fell in well with Mason and Dixon's work and was evidently authentic, though neither very large nor in very good condition. On the next ridge eastward, sometimes called Pine Ridge, are some small piles of stones, which, like those on Green Ridge, seem to have been built for boundary marks, but neither agree among themselves nor with the marks left by Mason and Dixon. One of these is apparently the mound noted in the report of the examiners for Pennsylvania in 1898 as "No. 144. Small heap of loosely piled stones. On Pine Ridge."

166. Stone monument on the top of a sharp ridge, sometimes called Valley Ridge, about midway between Shriver Ridge and Wills Mountain and on the west side of the road leading southwestward toward Cumberland.

167. Stone monument placed at the center of an old mound of stones on the summit of Wills Mountain, built by Mason and Dixon in 1767. It is a very short distance south of the pipe line. The mountain is densely wooded.

168. Stone monument in an open glade on a spur projecting from the western slope of Wills Mountain, about a mile from the summit. Between this monument and the summit the slope is very steep for a considerable distance.

169. Stone monument in the fence line on the west side of the main road leading northward from the village of Ellerslie, Md., in Wills Creek valley. The monument stands in front of a small church edifice supposed to have been so built that the boundary should divide it equally between the States, though this was not found to be the case. This monument is a "crown stone," made of white marble, being that received from the Historical Society of Pennsylvania in exchange for the old Mason and Dixon monument No. 115, as already explained.

170. Stone monument on the crest of the high wooded ridge nearly a mile west of the preceding and about the same distance east of the following monument.

171. Stone monument placed in a small mound of stones on the eastern slope of the Little Allegheny Mountain, said to mark the corner of Bedford and Somerset counties, Pa. This mound was found to agree with the work of Mason and Dixon. The mountain side is here extremely rough and great difficulty was experienced in moving the monument to the spot.

172. Stone monument placed at the center of a large mound of earth on the summit of Little Allegheny Mountain, about three-eighths of a mile west of the preceding.

173. Stone monument near the line fence, on an open spur on the western slope of Little Allegheny Mountain, about half way between its crest and base.

174. Stone monument on the east side of the road leading from Barrelville, Md., to Wellersburg, Pa., at its junction with a road running eastward up the mountain.

175. Stone monument in open field and a little south of the line fence, on the low spur about half a mile west of the preceding monument and just west of the bend of a road leading across the hills toward Mount Savage, Md.

176. Stone monument near the line fence, on the summit of a moderately high hill about a mile west of the preceding monument. This is a fine eminence, nearly midway between Little Allegheny and Big Savage Mountains and commanding a fine view all around the valley. It is rather surprising that Mason and Dixon built no mound upon it, but the omission was probably due to the difficulties which they encountered in the autumn of 1767, on account of the severe weather.

177. Stone monument in thick woods on the eastern side of Savage Mountain, at the foot of the steep slope and nearly midway between the summit of the mountain and the preceding monument.

178. Small stone post, with drill hole in top, marking the point where the boundary between Allegany and Garrett counties, Md., as defined by the Maryland Geological Survey, intersects the State line. This point is between two large rocks on the summit of Big Savage Mountain. In the western of these rocks a small hole was drilled, on the State boundary.

179. Stone monument in mound of earth on the western edge of the summit of Big Savage Mountain. This mound marked the 169th mile of Mason and Dixon's measurement from the "Post mark'd West" or approximately the end of the 166th mile from the Initial Monument at the northeast corner of Maryland. This is the most eastern of these "mile mounds."

180. Stone monument in thick woods on the low ridge called Little Savage Mountain, about half a mile west of the preceding monument.

181. Stone monument in earth mound, 167 miles from the Initial Monument. This is in the edge of a thicket east of the open fields which extend to the road from Finzel, Md., to Pocahontas, Pa. This mound was in good condition.

182. Stone monument in old mound in a dense pine thicket, one mile west of the preceding and 168 miles from the Initial Monument.

183. Stone monument in old mound standing in low ground south of Big Piney Run and 169 miles west of the Initial Monument.

184. Stone monument placed at the center of a large mound of stones on Piney Ridge, 27 chains west of the preceding, by Mason and Dixon's measurement, and near the lumber camp called Blue Jay, Pa.

185. Stone monument in open ground on the ridge west of the crossing of Big Piney Run, where it turns to the southward into Maryland.

186. Stone monument placed at the center of a large mound of earth in the fence line separating woods south of the boundary from the open field north of it. About a mile west of the Blue Jay crossing of Big Piney Run.

187. Stone monument in small mound of earth marking the 175th mile of Mason and Dixon's measurement, 172 miles from the Initial Monument. It stands on the edge of a byroad which here follows the boundary for nearly a mile.

188. Stone monument in small mound of stones marking Mason and Dixon's 176th mile, 173 miles west of the Initial Monument. This stands in a thicket south of the pipe line, on the rocky hillside east of the crossing of Big Piney Run at the point where it finally passes from Maryland to Pennsylvania in its course toward the Castleman River.

189. Stone monument placed at the center of a large mound of earth on the summit of Meadow Mountain, built by Mason and Dixon in 1767. By Mason and Dixon's measure this mound was 176 miles, 46 chains, from the "Post mark'd West."

190. Stone monuments in smaller mound on the west slope of Meadow Mountain, marking original mile No. 177, 174 miles from the Initial Monument.

191. Stone monument on Chestnut Ridge, about a mile west of Meadow Mountain.

192. Stone monument placed at the center of a large mound of earth on the farm of T. J. Maust, west of the Chestnut Ridge road.

193. Stone monument in smaller mound about half a mile farther west. This marks the end of Mason and Dixon's 179th mile, about 176 miles from the Initial Monument, at the northeastern corner of Maryland.

194. Stone monument in open field, west of the woods and east of the Jennings Lumber railroad, which here follows the eastern bank of the Castleman River.

195. Stone monument placed in mound of stone in woods west of the Castleman River. This marks original mile No. 180, 177 miles from the Initial Monument.

196. Stone monument placed in mound of earth in maple grove west of the road from Niverton, Pa., to Grantsville, Md. This marks original mile No. 181, 178 miles from the Initial Monument.

197. Stone monument on summit of slight rise of ground on the west side of the road leading north from the west end of Grantsville, Md., along the high ridge east of Big Shade Run. Mason and Dixon describe a mound on this hill but no trace of it could be identified.

198. Stone monument in earth mound marking the end of Mason and Dixon's 183d mile, 180 miles from the Initial Monument. This stands in thick woods, about half a mile west of Big Shade Run and a quarter of a mile west of the public road. The pipe line is here a considerable distance north of the boundary.

199. Stone monument in earth mound one mile west of the preceding and on the eastern slope of Negro Mountain, about 17 chains from the summit.

200. Stone monument placed at the center of a large mound of stones on the summit of Negro Mountain. It stands on the south edge of the woods and the north edge of an open field, a short distance west of the wagon trail which runs along the ridge. By Mason and Dixon's measurement this mound was 184 miles and 17 chains from the "Post mark'd West."

201. Stone monument by the side of the public road which runs northward along the western slope of Negro Mountain, a little more than half a mile from the summit.

202. Stone monument placed at the center of a large mound of earth on the high ridge sometimes called "Pack Saddle," about a mile and a half west of Negro Mountain and next east of Puzzley Run. This is a large mound, in fine condition, and is immediately west of the road which runs along the ridge.

203. Stone monument on Keyser Ridge, about half a mile west of the preceding.

204. Stone monument placed at the center of the large and finely preserved mound of earth on the summit of Bruner Ridge, about a mile and an eighth west of Pack Saddle Ridge.

205. Stone monument placed on the site of a former large earth mound on the north side and near the summit of the high hill locally called Augustine's Point, about two miles west of Pack Saddle Ridge and the same distance east of the village of Oakton, where the boundary crosses the National Road. This mound has been almost obliterated in the building of a "gate house" for the oil pipe line, which here almost grazes the boundary. This hill is on the eastern edge of the open ground just west of two miles of forest which covers perhaps

the most troublesome piece of country on the whole line, there being in that distance three very deep ravines, with remarkably steep and slippery sides.

206. Stone monument in the north edge of a piece of woods, near a small schoolhouse about a mile west of the preceding monument and a slightly shorter distance east of the National Road.

207. Stone monument at the crossing of the National Road, at the village of Oakton.

208. Small mound of stones on the eastern slope of Winding Ridge, a little west of Oakton and near the pipe line. As a monument was placed at the crossing of the National Road and another on the summit of the ridge, only 12 chains farther west, it seemed unnecessary to put one in this mound, which is in a very rough and rather inaccessible place.

209. Stone monument placed at the center of a large mound of earth and stones on the summit of Winding Ridge and a short distance south of the National Road.

210. Stone monument placed in the center of a small mound of earth and stones on the western slope of Winding Ridge, 68 chains from the summit. This marks the 191st mile of Mason and Dixon's measurement, 188 miles from the Initial Monument.

211. Stone monument at cross roads near Club Run and near the site of Mason and Dixon's original mile post No. 192. According to information furnished by a resident of the district, this was a mound of stones and was extant until a few years ago, when it was destroyed by a road-making gang to furnish material for their operations.

212. Stone monument at the crossing of the road which leads from Addison, Pa., to Speelman Mills, Md. About a mile west of the preceding monument.

213. Stone monument placed at the center of a large mound of earth in the fence line on a flat ridge about half a mile west of the preceding.

214. Stone monument by the side of the road which runs north from Speelman Mills and about half a mile east of the Youghiogheny River. A small mound of broken stone on the slope of the hill, a little farther west, was pointed out as one of the original marks, but it showed so great discrepancies upon comparison with the other mounds that it could not be accepted as authentic.

215. Stone monument by the side of the road which runs along the east side of the Youghiogheny River from Somerfield, Pa., to Speelman Mills, Maryland.

216. Stone monument on the high ridge west of the Youghiogheny River, on the farm of Mr. D. Umbel. The monument stands in the fence line, just west of a wagon trail leading along the ridge.

217. Small mound of stones, with a good sized tree growing in it, on the east side of the road which leads southward from Stuck Hollow, west of Reason Run. This marks the 196th mile of Mason and Dixon's

measurement, 193 miles from the Initial Monument. It was intended that a monument should be set in this mound and one was sent here for that purpose, but owing to the difficulties presented by the tree with its numerous spreading roots, the assistant who was charged with the duty of setting it concluded that it would make too long and expensive a job and he therefore placed the monument on the next ridge to the westward, where it will be noted under the next number. If this had been anticipated, another monument would have been located on the high ridge east of the road, as Monuments 216 and 218 are a little more than a mile apart and are not intervisible. It is believed, however, that no serious inconvenience will result.

218. Stone monument in fence line on the high bare ridge one-fifth of a mile west of the preceding mound, on the farm of Mr. Jeff Guard.

219. Small mound of stones, with a cherry tree growing in it, in fence line one mile west of No. 217, and believed to mark Mason and Dixon's 197th mile post.

220. Stone monument on the open ridge about a quarter of a mile west of the preceding and an eighth of a mile east of the road leading from Markleysburg, Pa., to Asher Glade, Md. The boundary passes through a house just west of this point.

221. Stone monument on the wooded ridge west of Glade Run, about seven-eighths of a mile west of the preceding monument and nearly a mile east of the next one. This is the most western of the new monuments placed upon the line.

222. A large granite monument placed upon the line in 1885 by Commissioners for the States of Pennsylvania and West Virginia and then stated to have been set at the center of an old Mason and Dixon mound. It bears inscriptions indicating that it marks the corner common to the three States, Pennsylvania, Maryland and West Virginia, though it seems probable that the corner in question is really a little farther west. The monument stands in the north edge of woods a short distance west of a gate house of the pipe line. The stone has been badly mutilated by vandals.

223. Tall slim monument of white granite or sandstone, standing in a fence line just east of the road leading from Somerfield, Pa., to Brandonville, W. Va., locally known as the "mud pike." This monument is said to have been placed here before the civil war by Lieutenant Michler of the United States Army, to mark the northwestern corner of Maryland. The stone has been very badly mutilated by vandals, no trace of any inscription remaining.

The above include perhaps all of the monuments upon the boundary between the States of Pennsylvania and Maryland, but inasmuch as the western boundary of Maryland is understood to be still in controversy, it may do no harm to describe two existing monuments on the Mason and Dixon line, farther west. These were placed in existing mounds in 1885 by the Commissioners for Pennsylvania and West Virginia.

224. A short monument of dark granite in the center of an old mound of stones about 1,300 feet west of the "mud pike" and 2¼ miles southwest of Markleysburg, Pa. This is probably the mound noted in Table XII as 199 miles and 63 chains from the "Post mark'd West," and south of the latitude station of August 17, 1767. This monument is No. 171 in the list of the examiners of 1898.

225. A precisely similar monument in the line fence in woods half a mile west of Feik Run and a mile and a quarter west of the preceding. This was no doubt Mason and Dixon's mile post 201, 198 miles from the initial monument.

NOTE.

The following plates are photo-reductions of the original plates autosigned by the Commissioners and filed with the State authorities in Maryland and Pennsylvania. The original drawings are retained by the U. S. Coast and Geodetic Survey.

The present plates are published on the scale of five inches to the mile or approximately 1000 feet to the inch. Three miles are represented on each plate and these should be read, with the page held lengthwise, from the upper right to lower left corners of the plate.

The mile posts are numbered from east to west beginning at the northeastern corner of Maryland.

MAPS NOS. 1 TO 69

SHOWING THE LOCATION OF MONUMENTS

PENNSYLVANIA–MARYLAND BOUNDARY LINE

(MASON AND DIXON'S LINE)

SCALE 1 INCH = 1000 FEET

Surveyed by W. C. HODGKINS

Assistant Coast and Geodetic Survey

Under Authority of

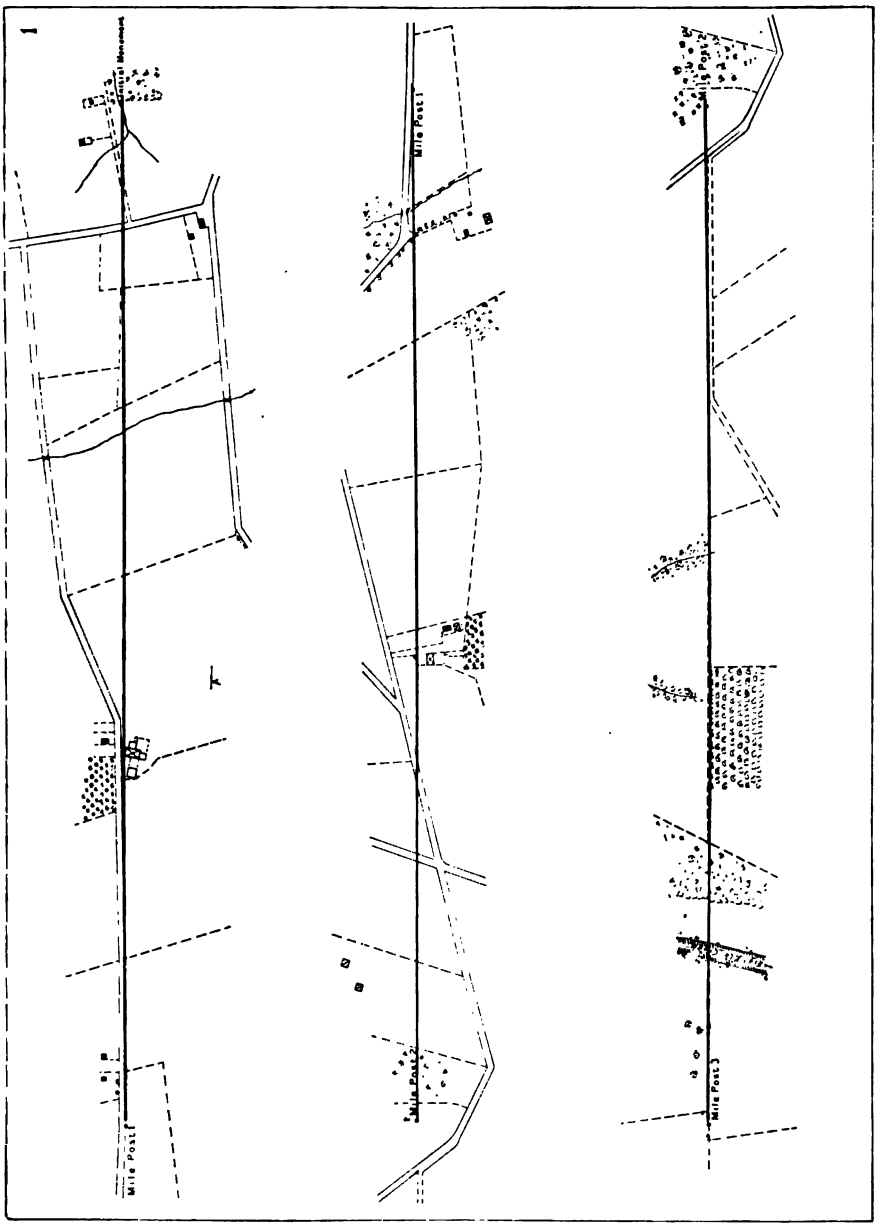
O. H. TITTMANN, Superintendent Coast and Geodetic Survey

ISAAC B. BROWN, Secretary of Internal Affairs of Pennsylvania

WILLIAM BULLOCK CLARK, State Geologist of Maryland

COMMISSIONERS

1900–1903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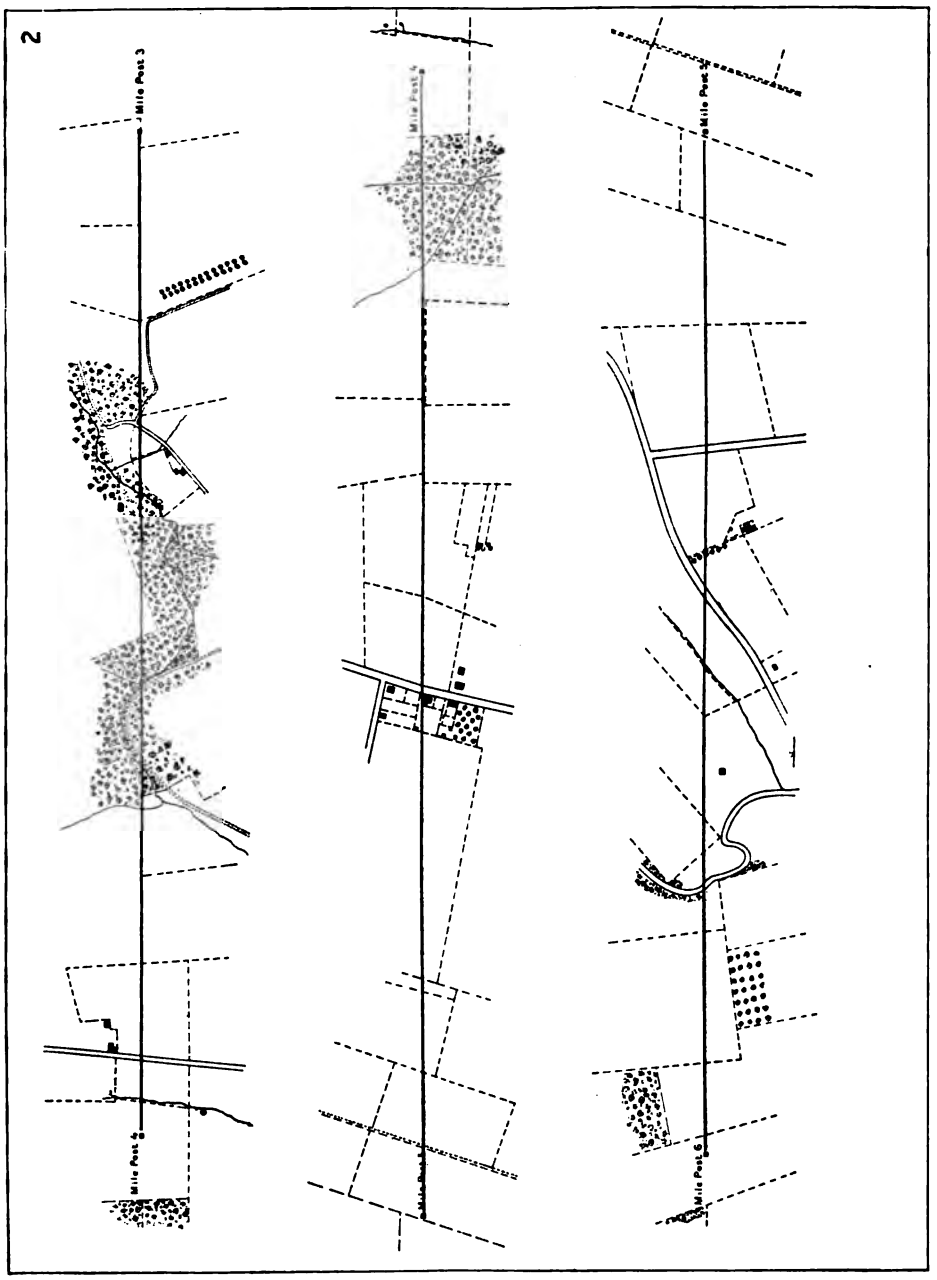
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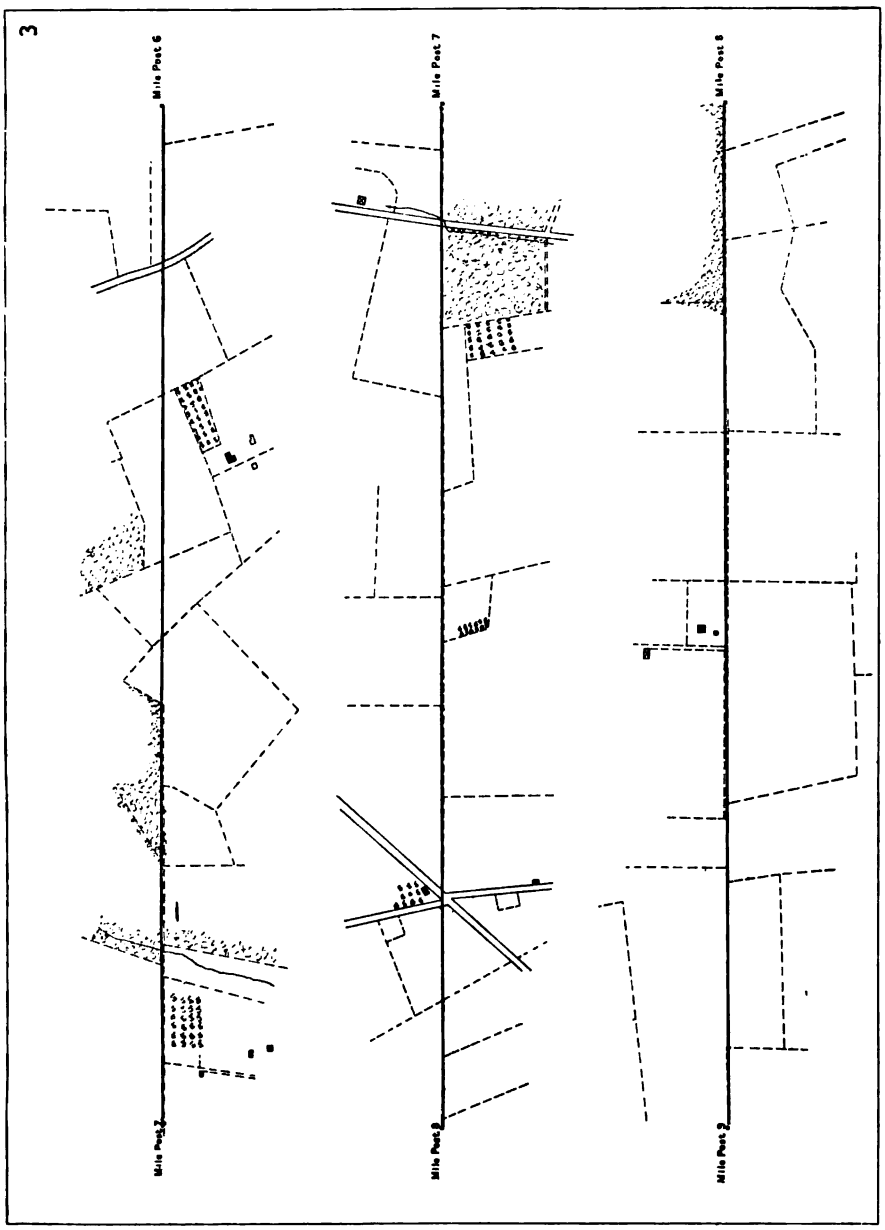
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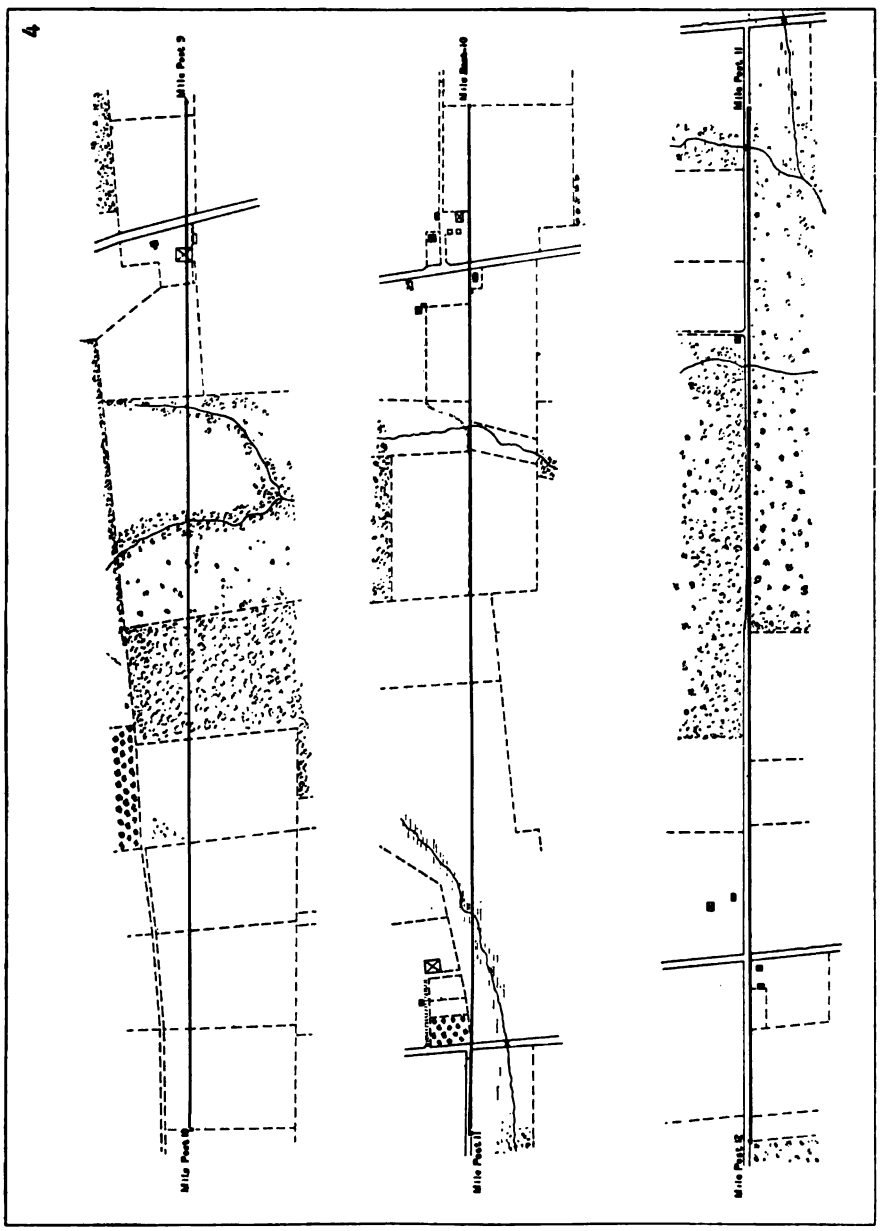
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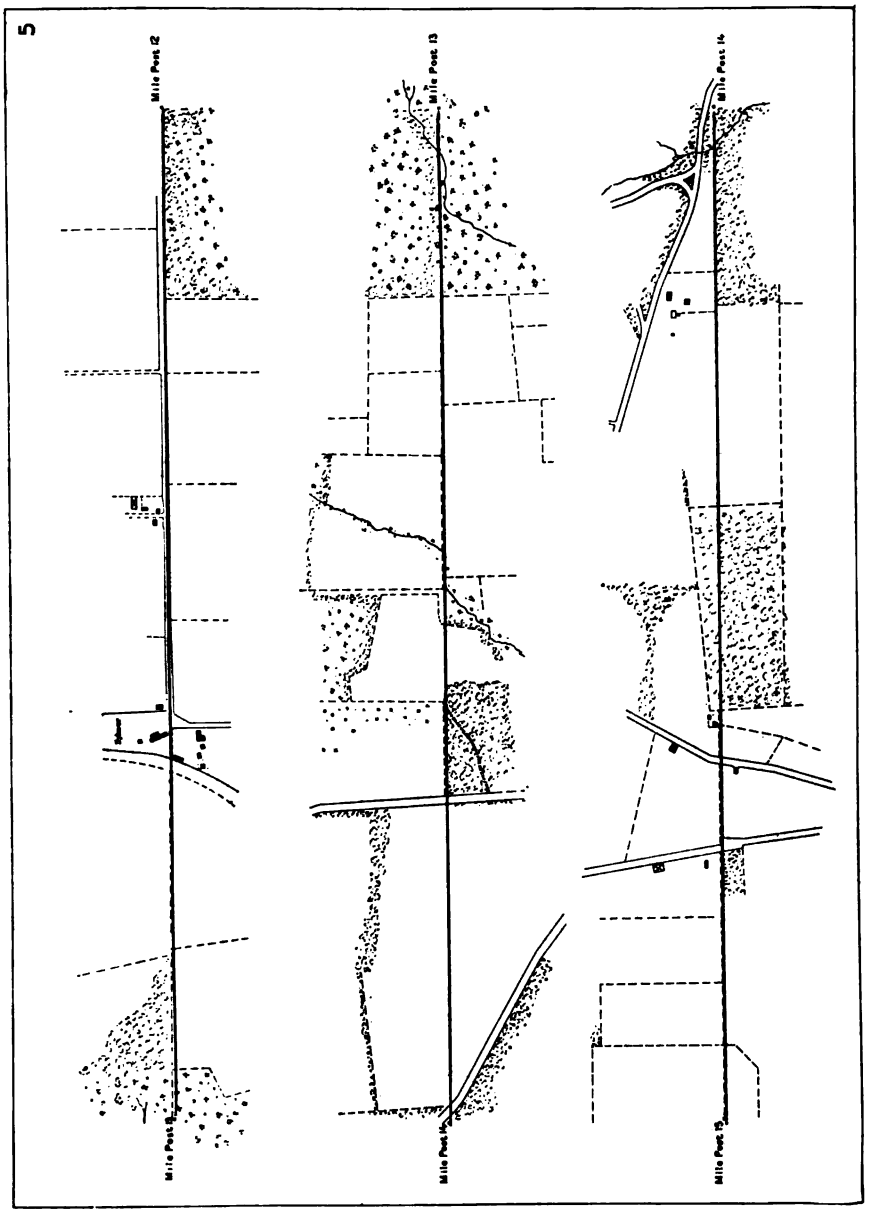
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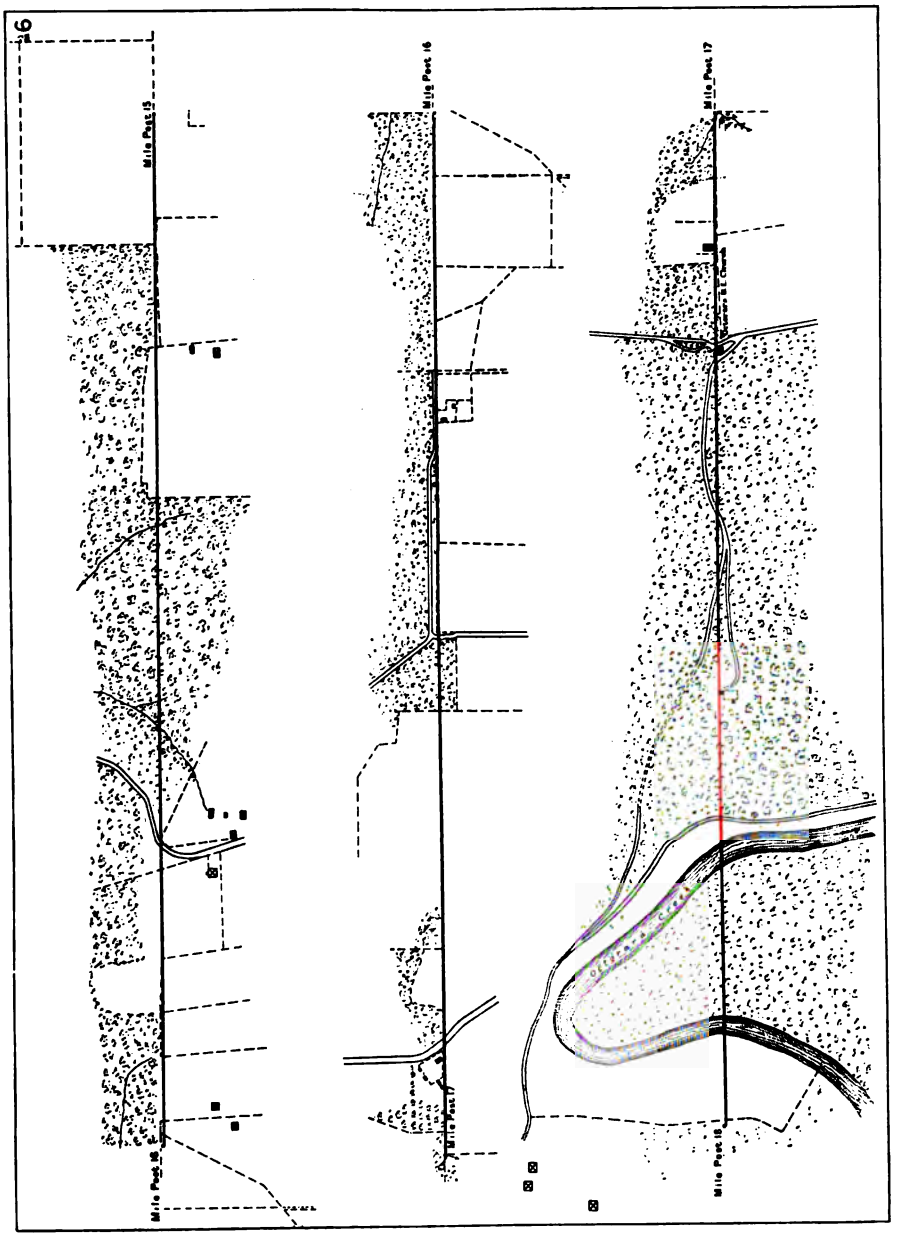
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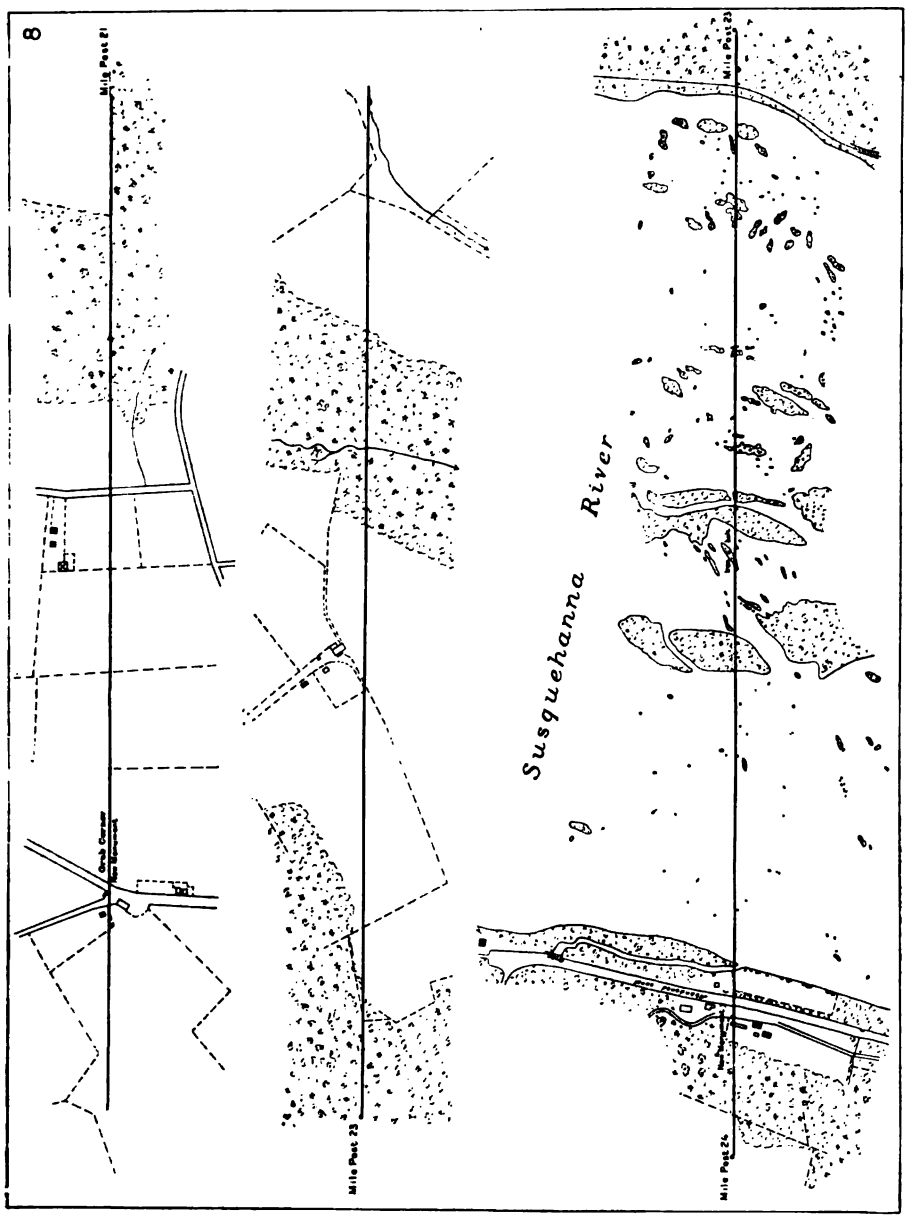
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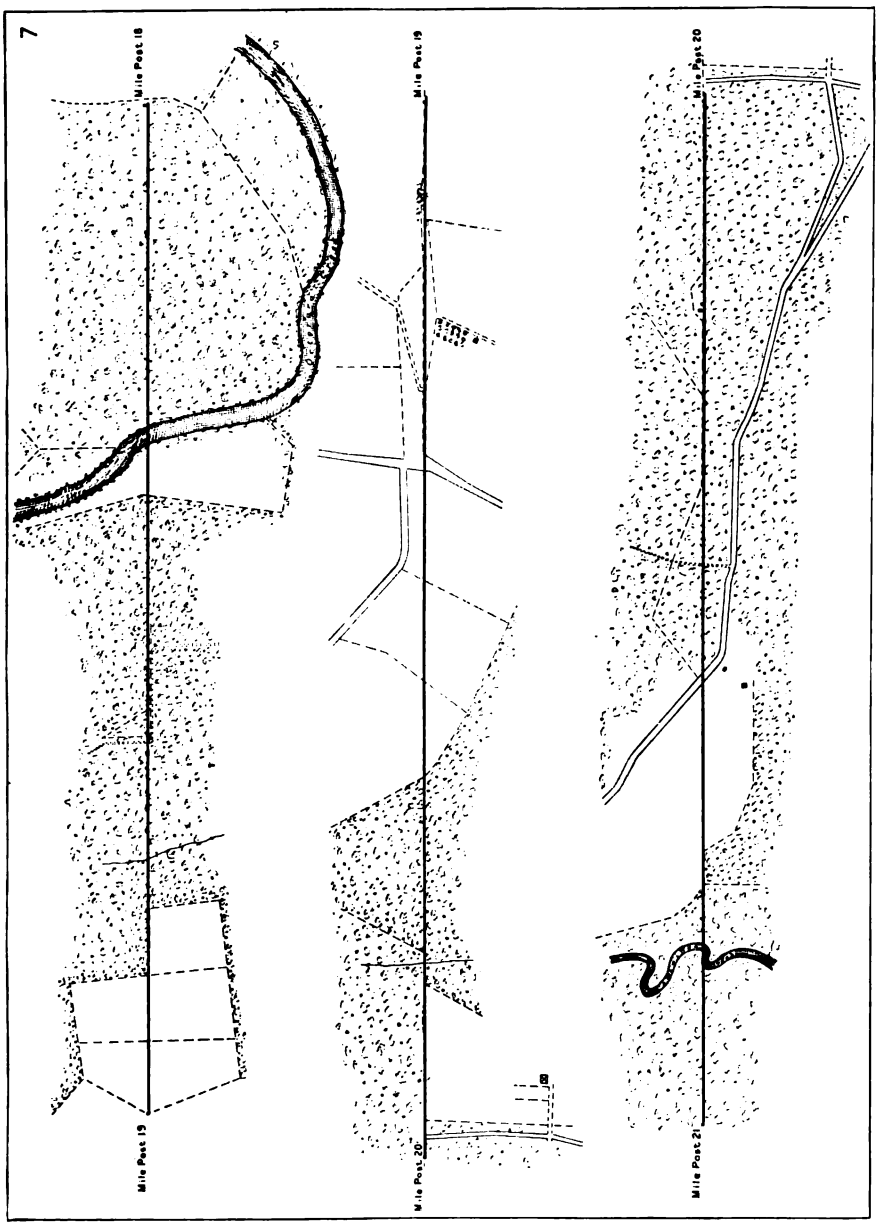
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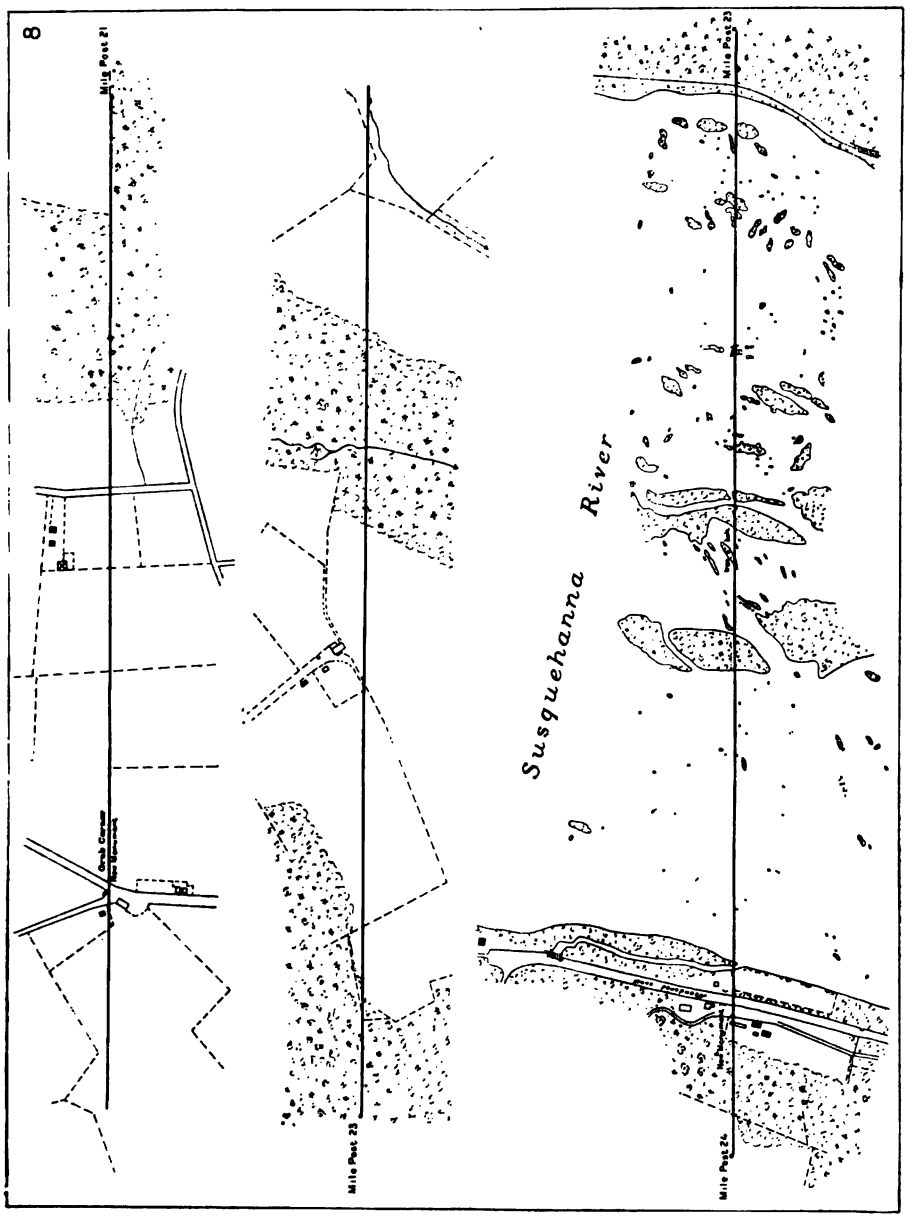
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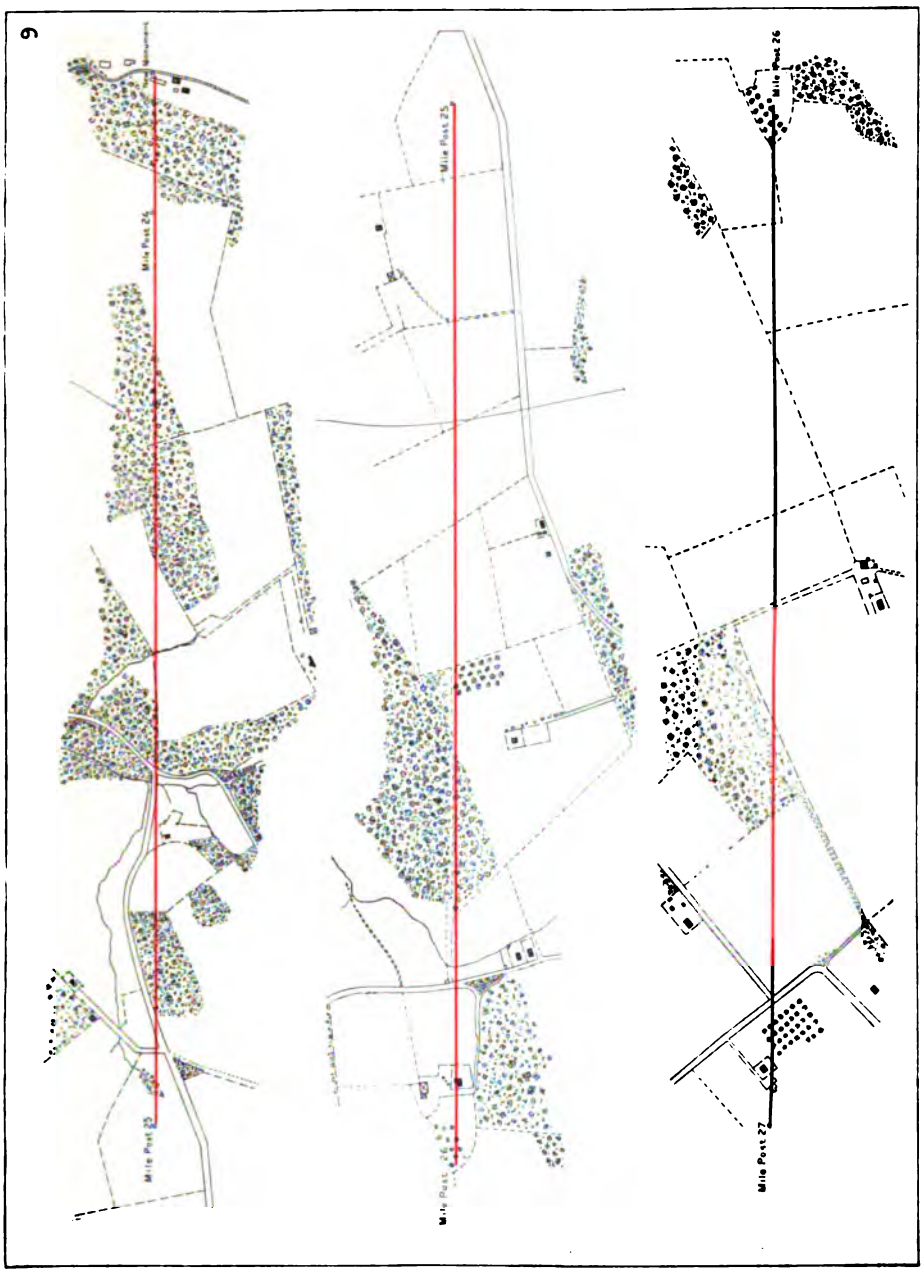
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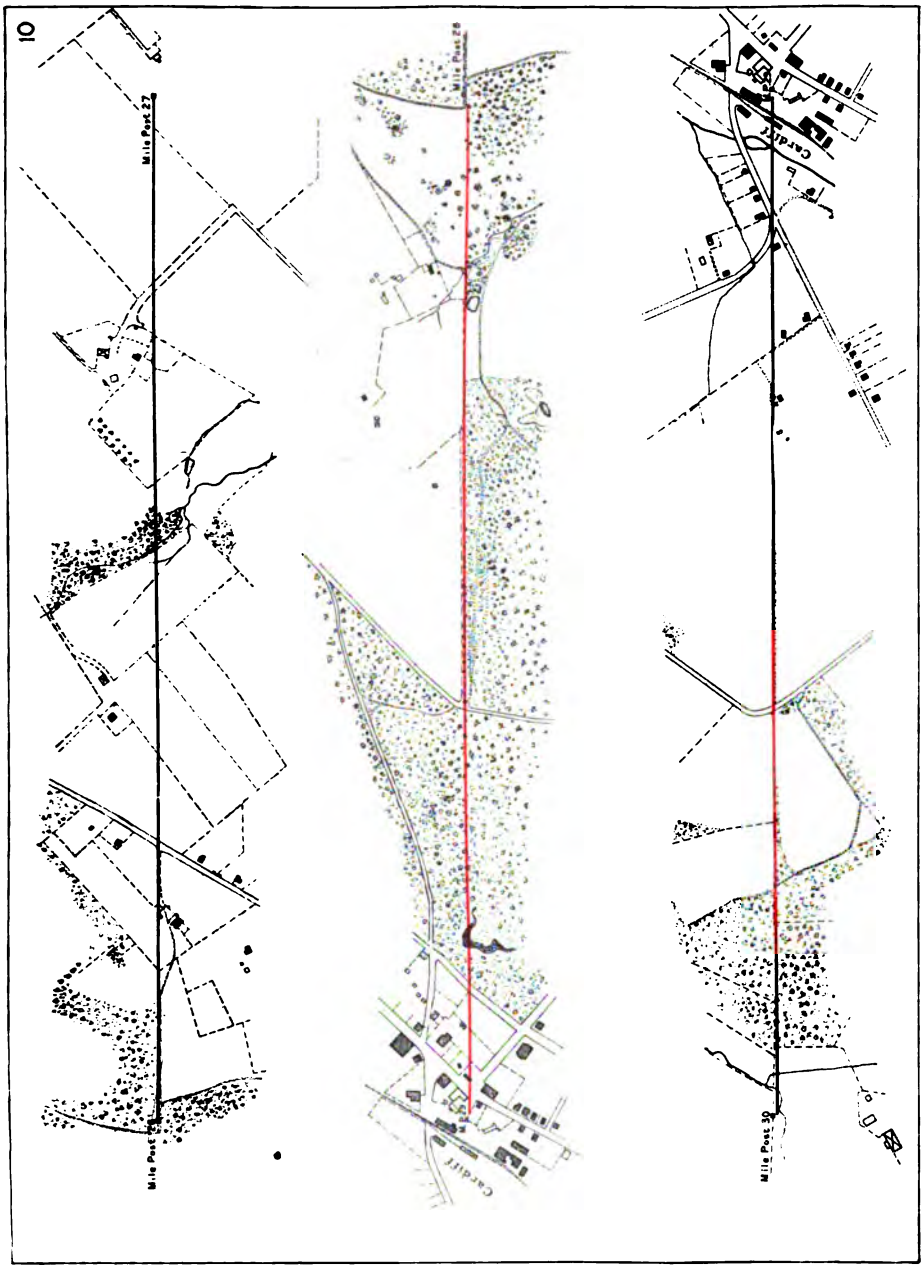
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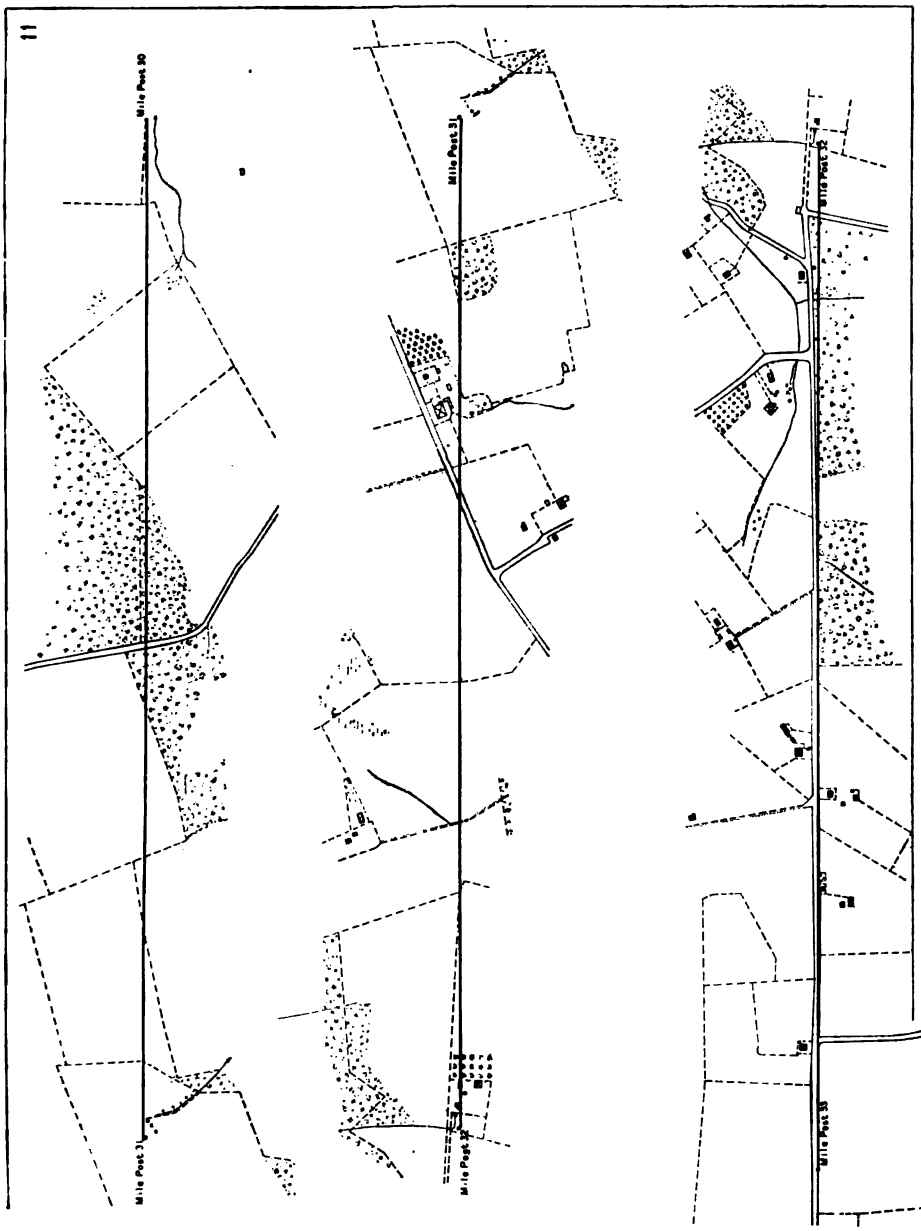
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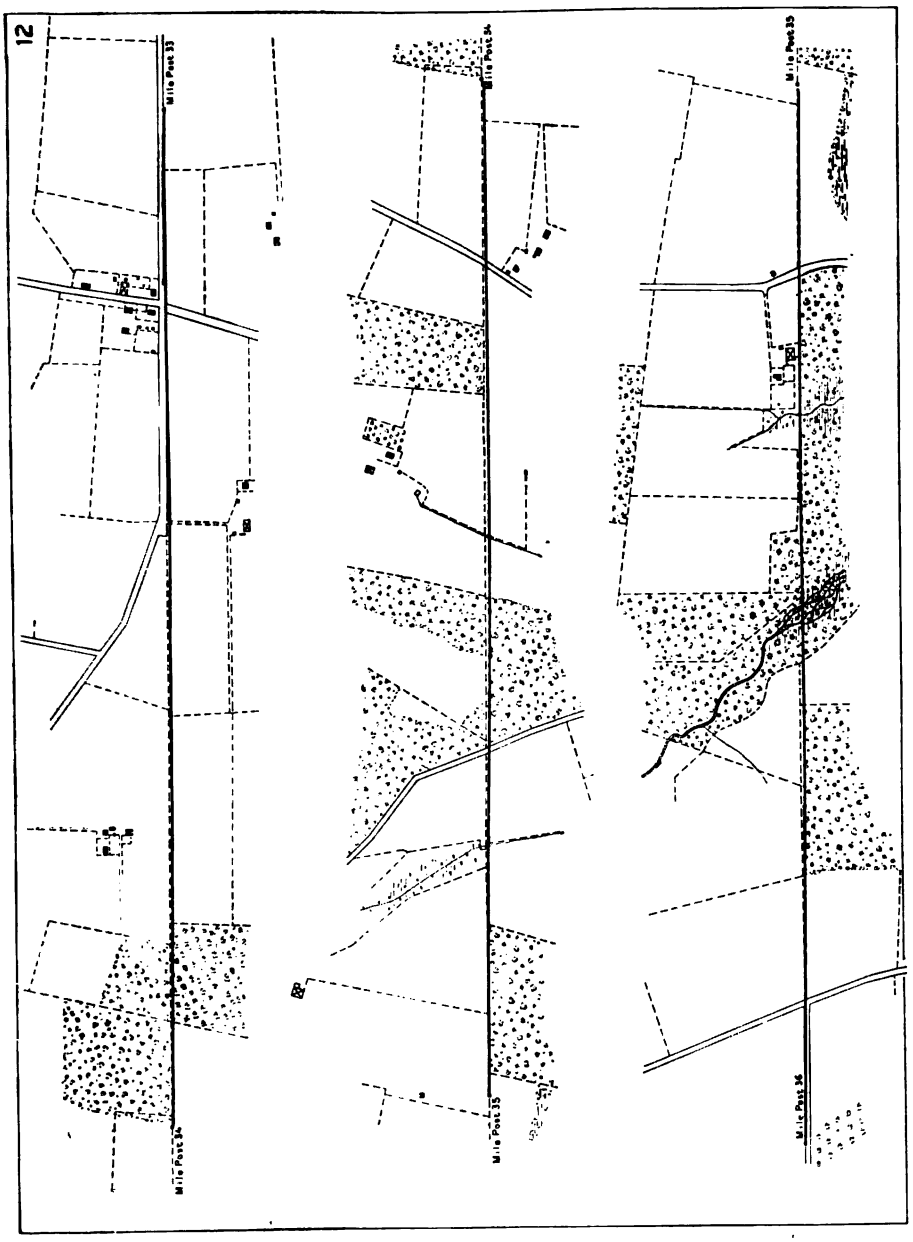
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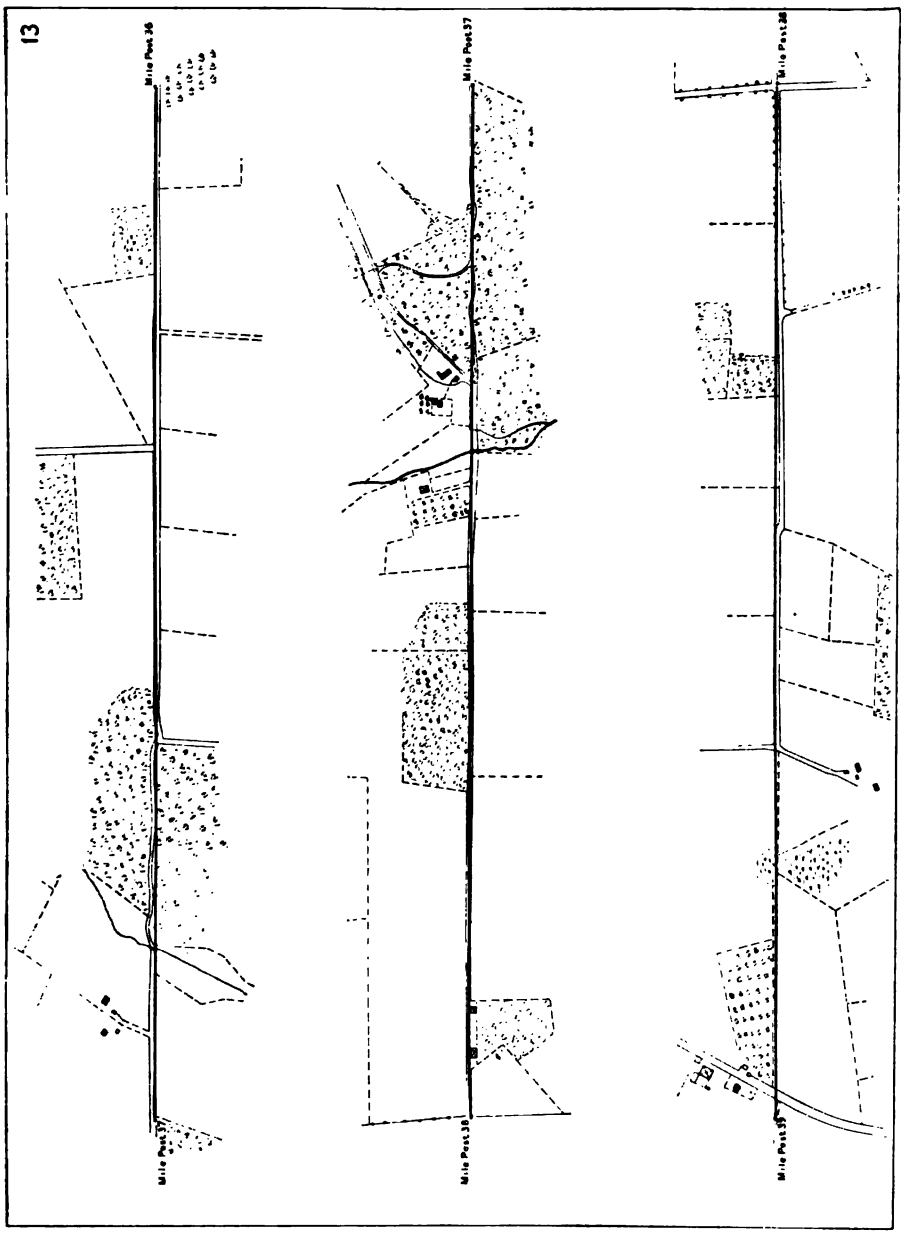
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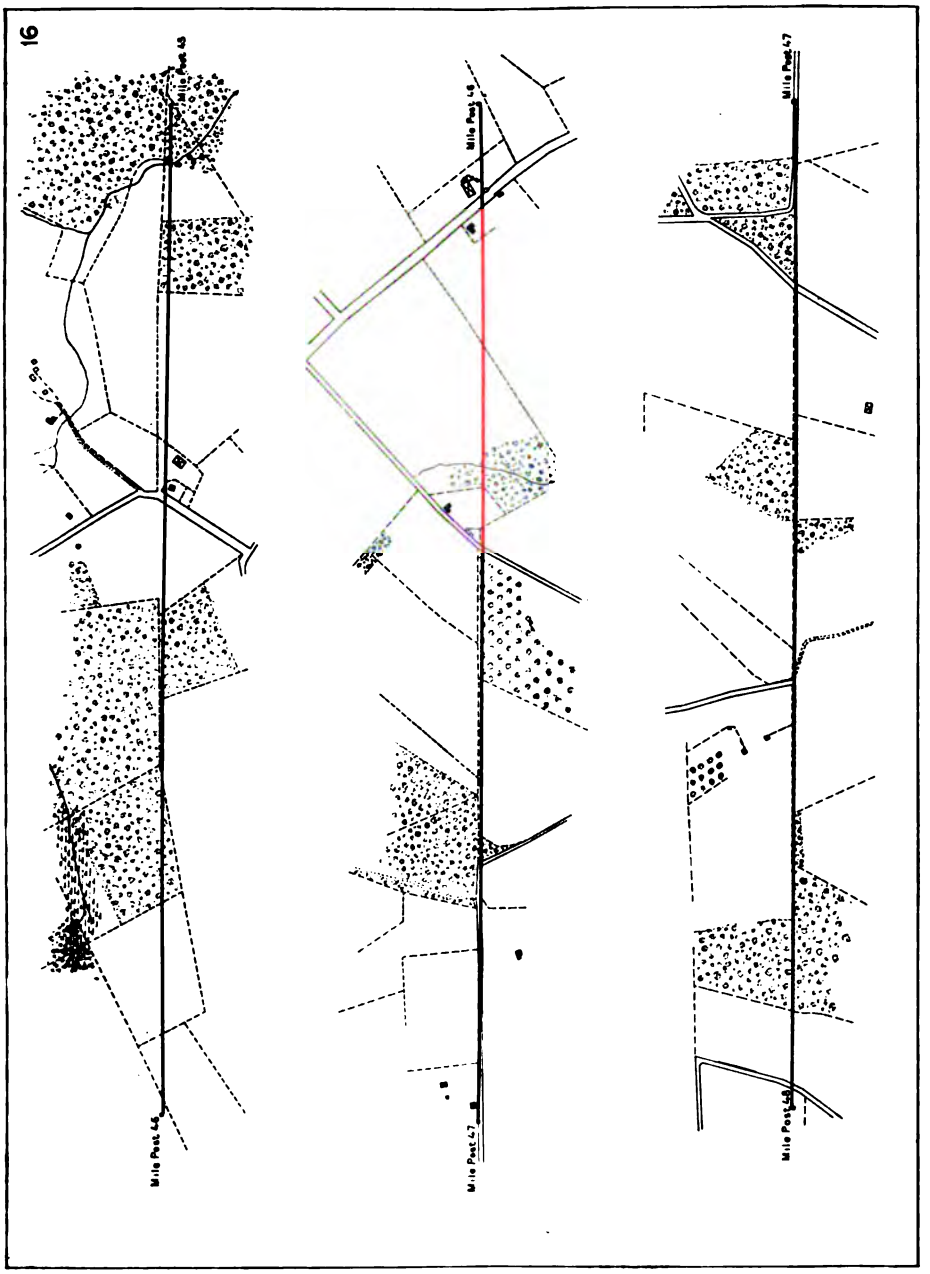
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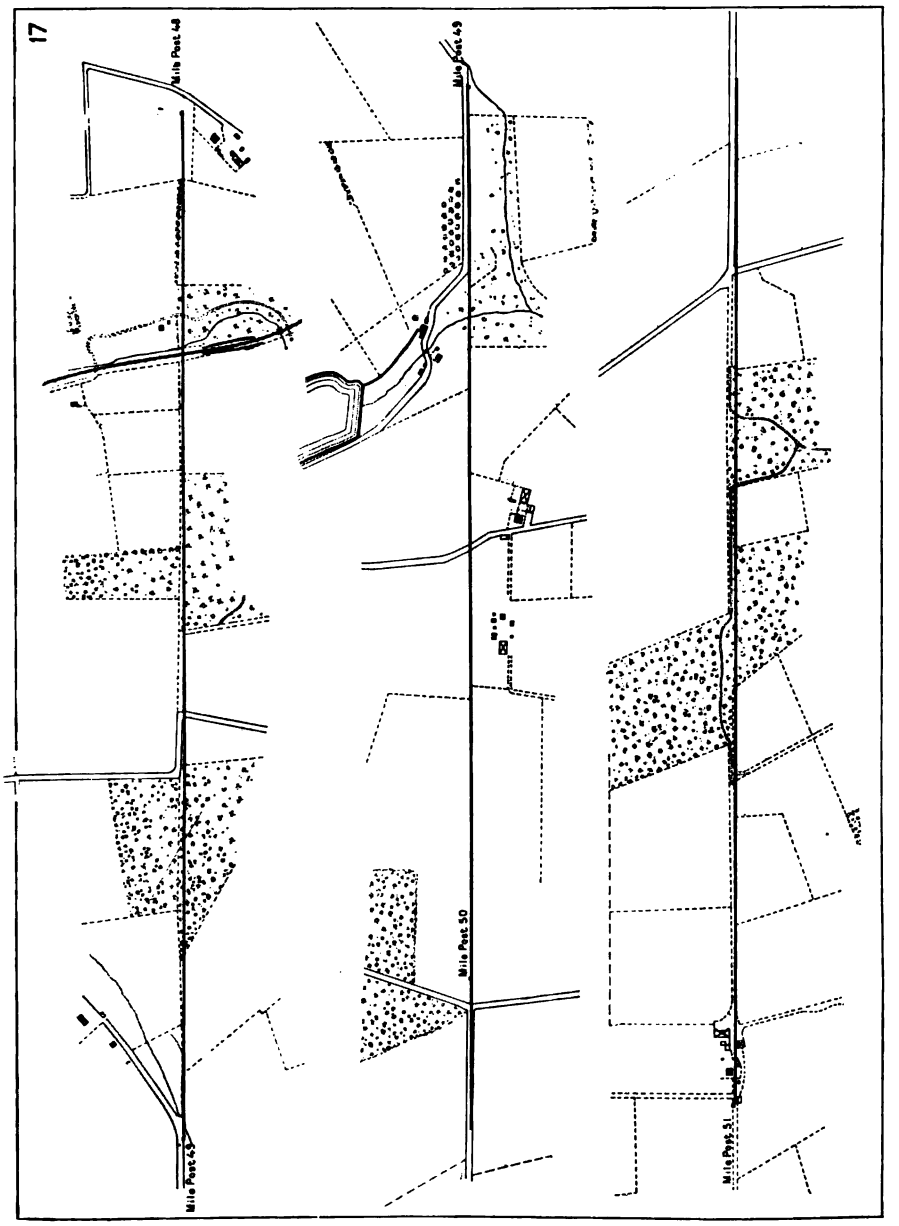
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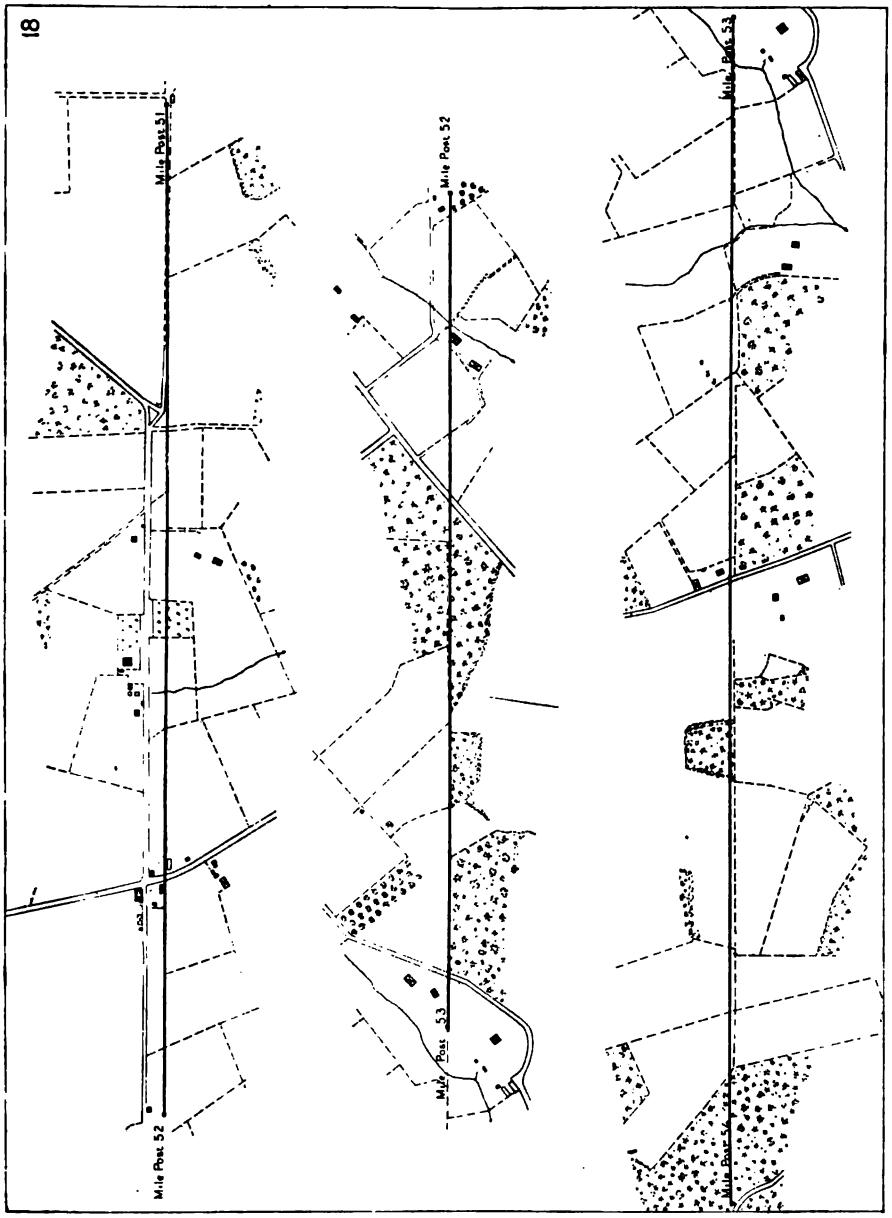
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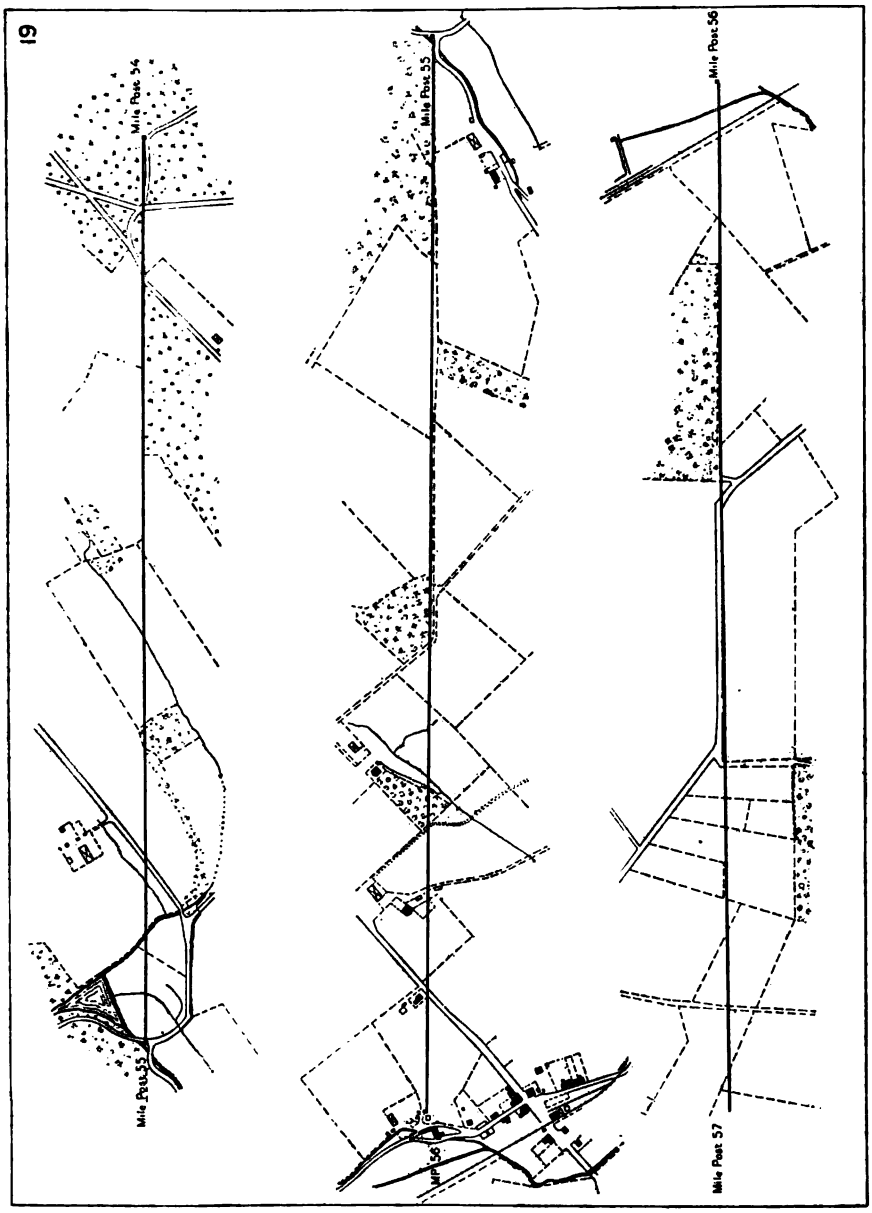
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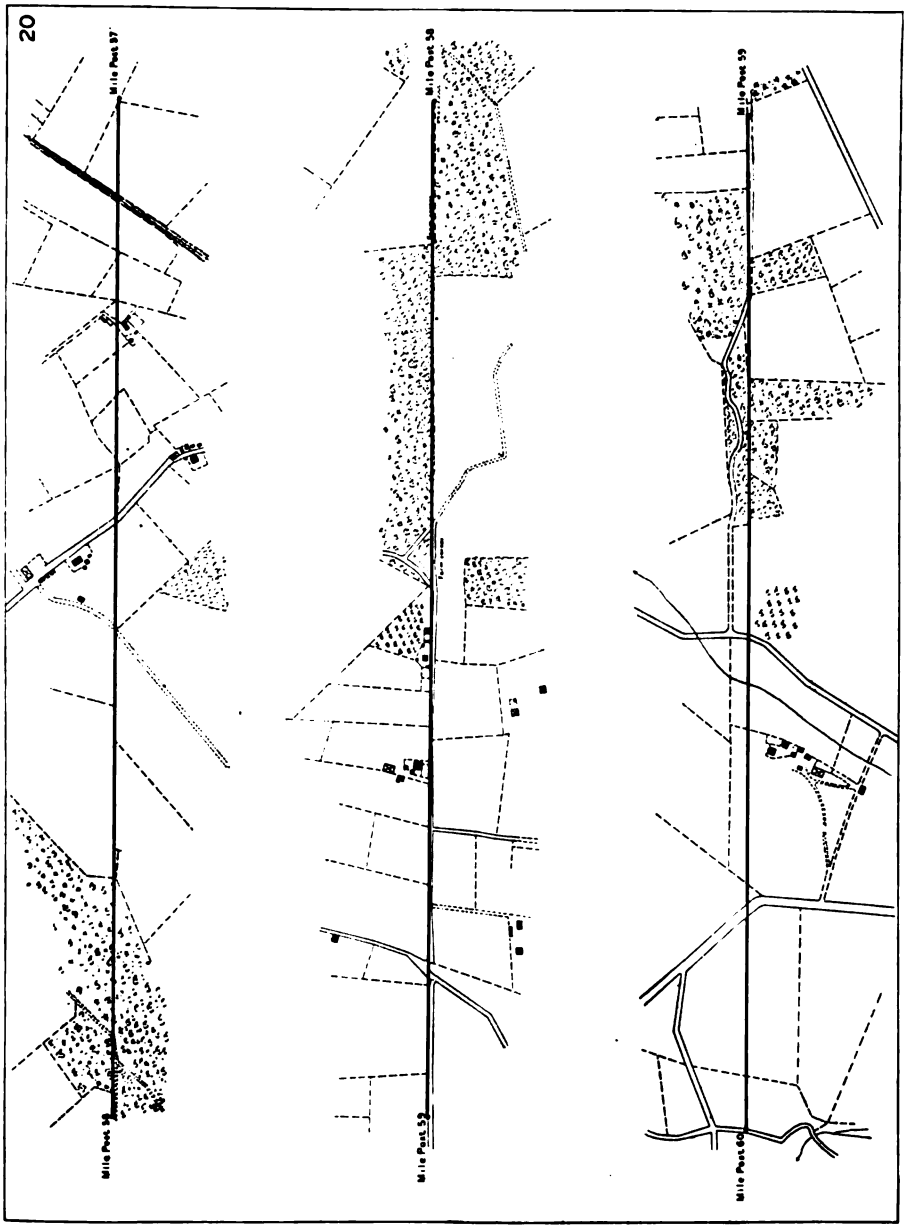
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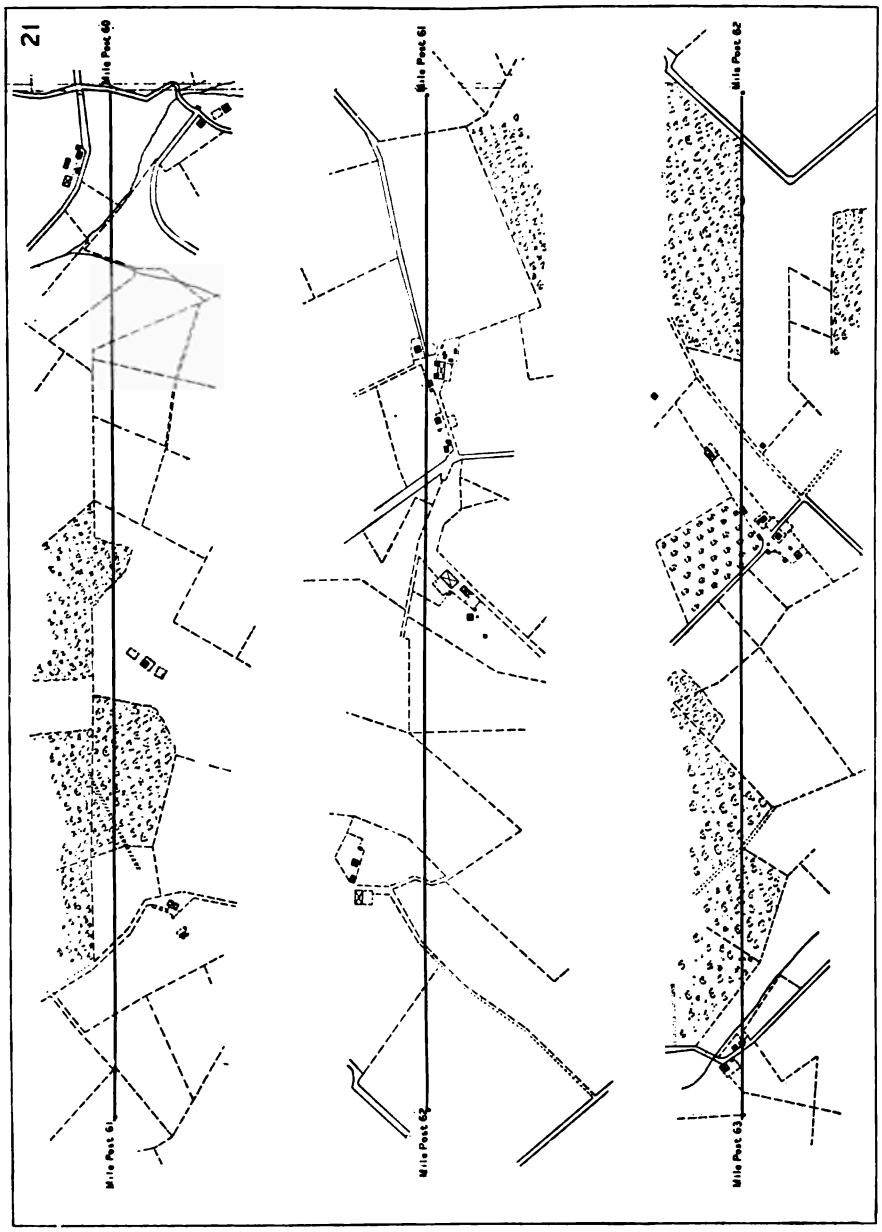
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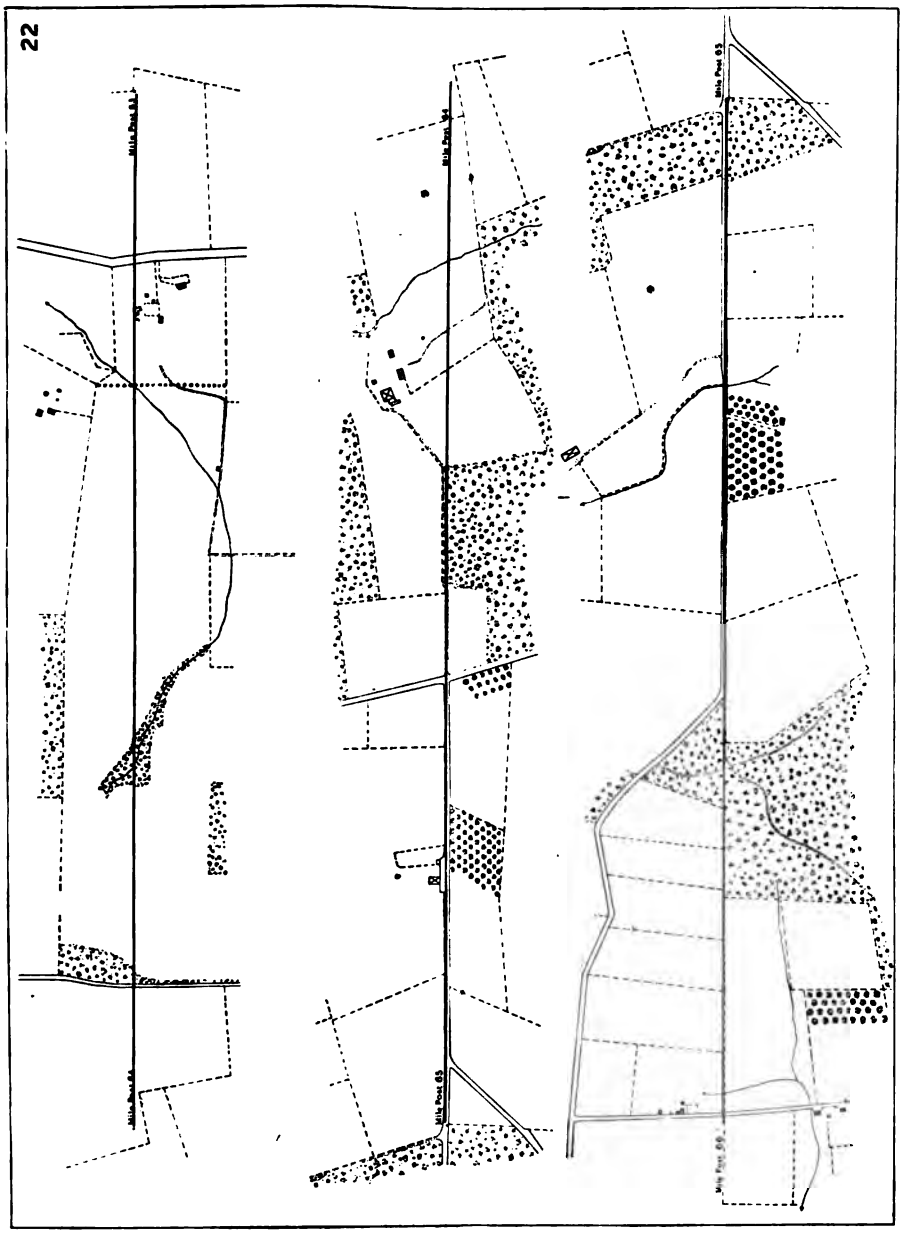
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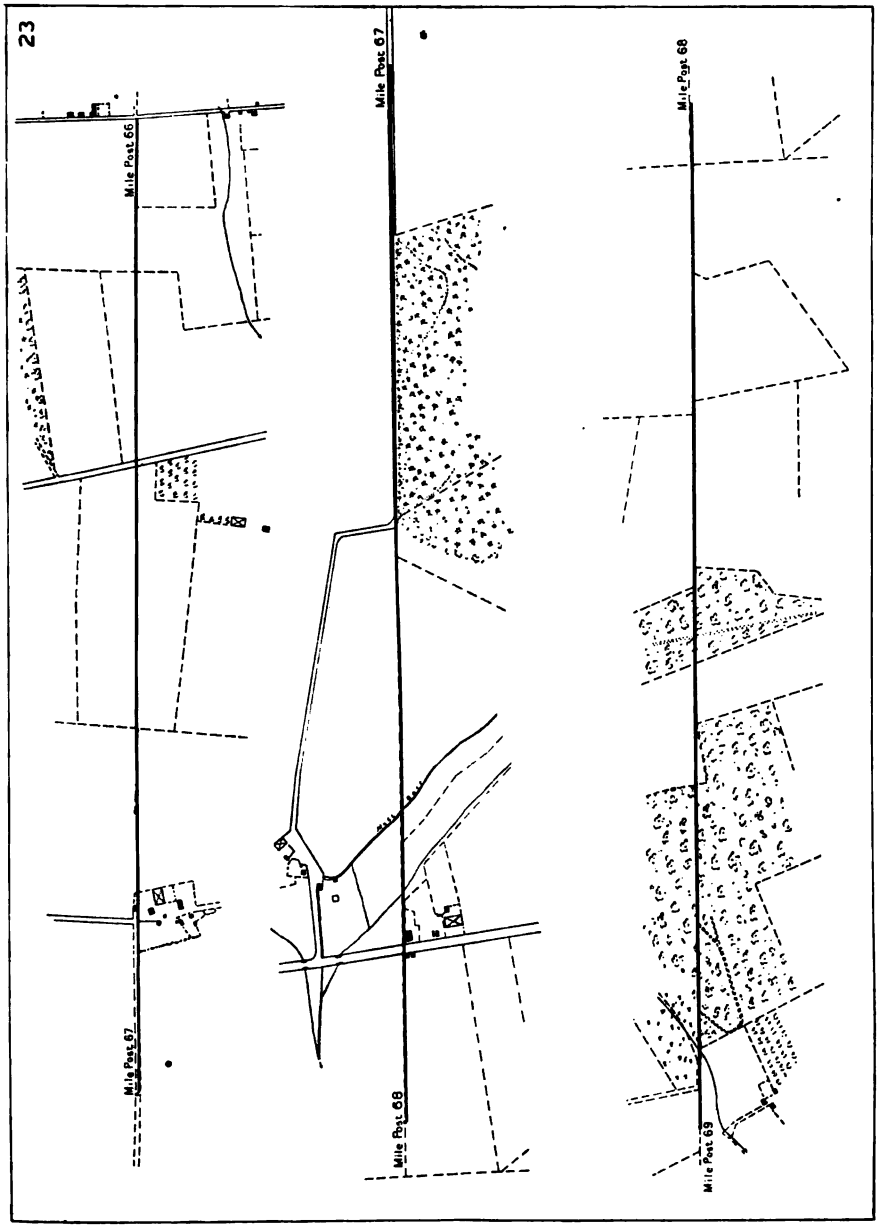
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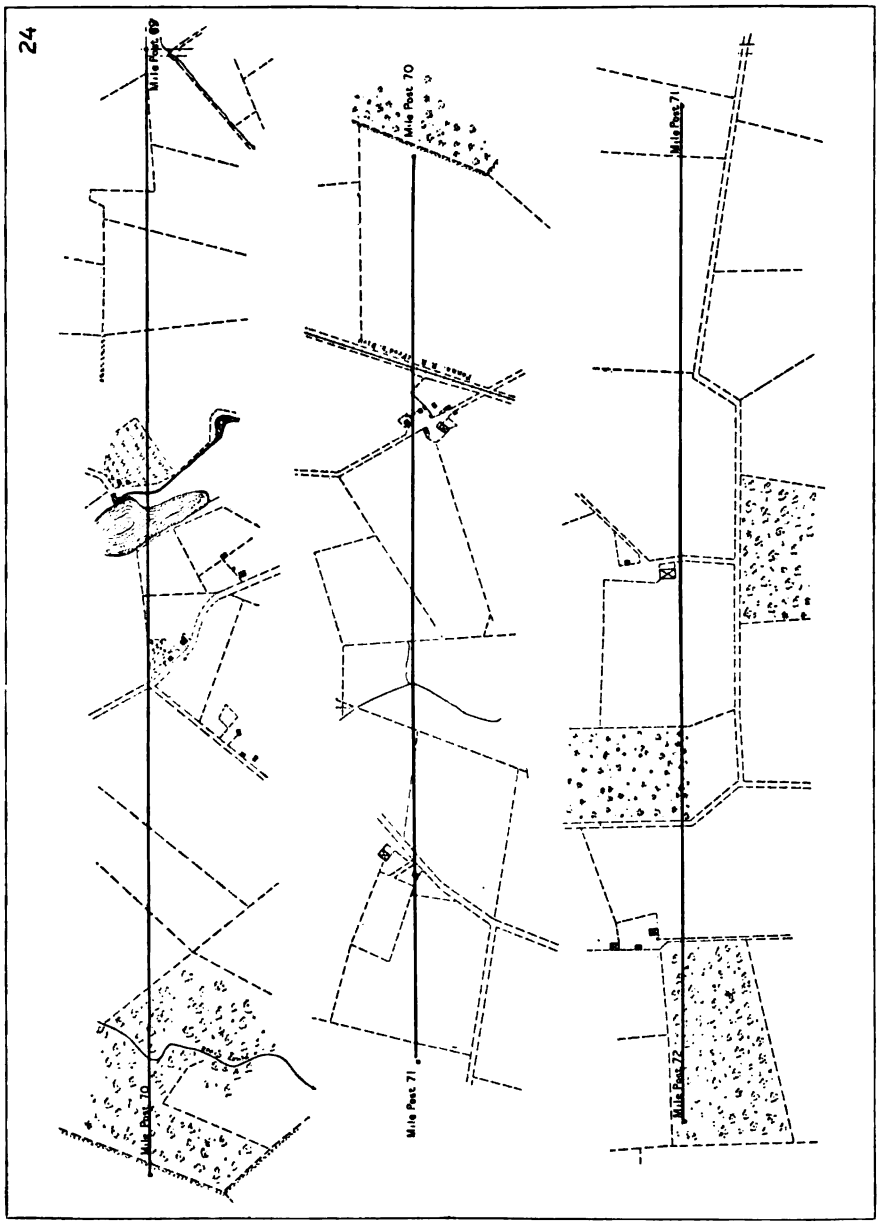
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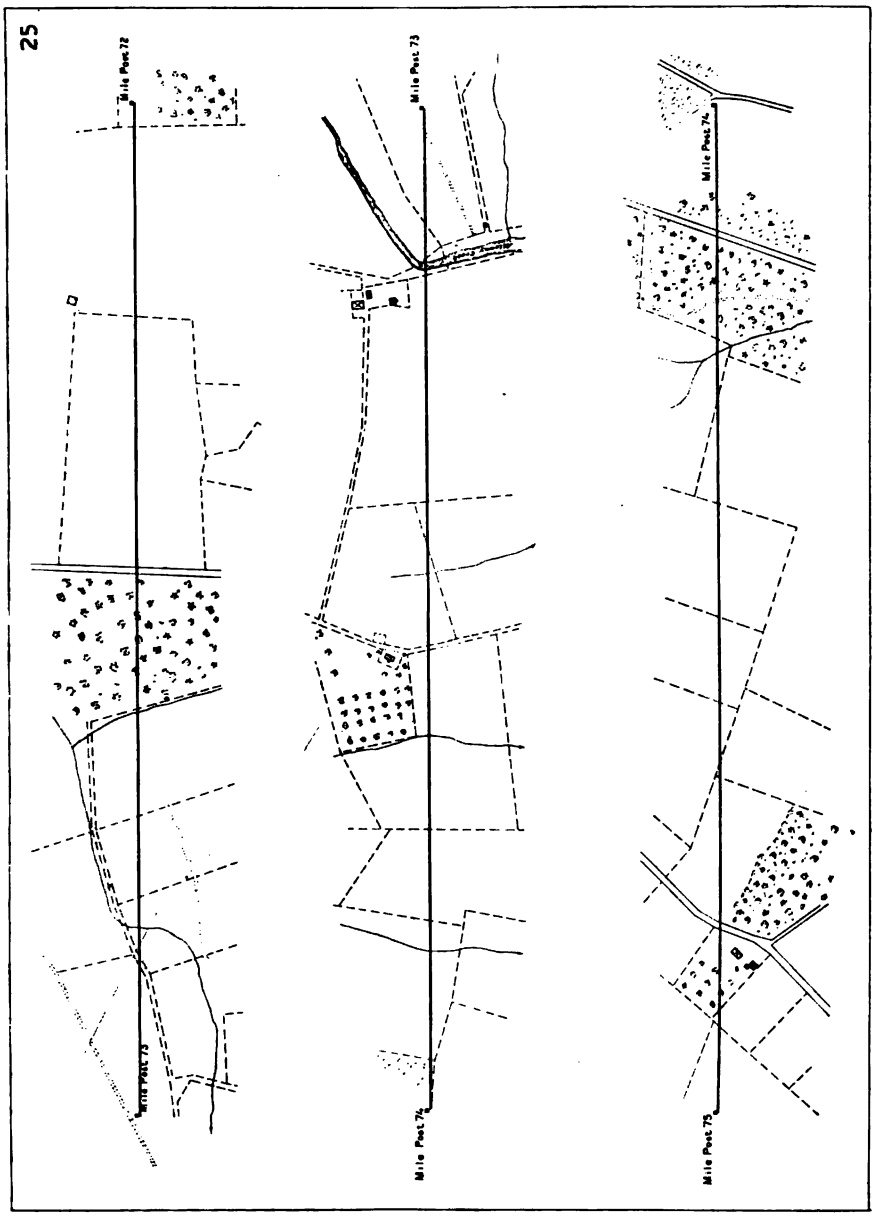
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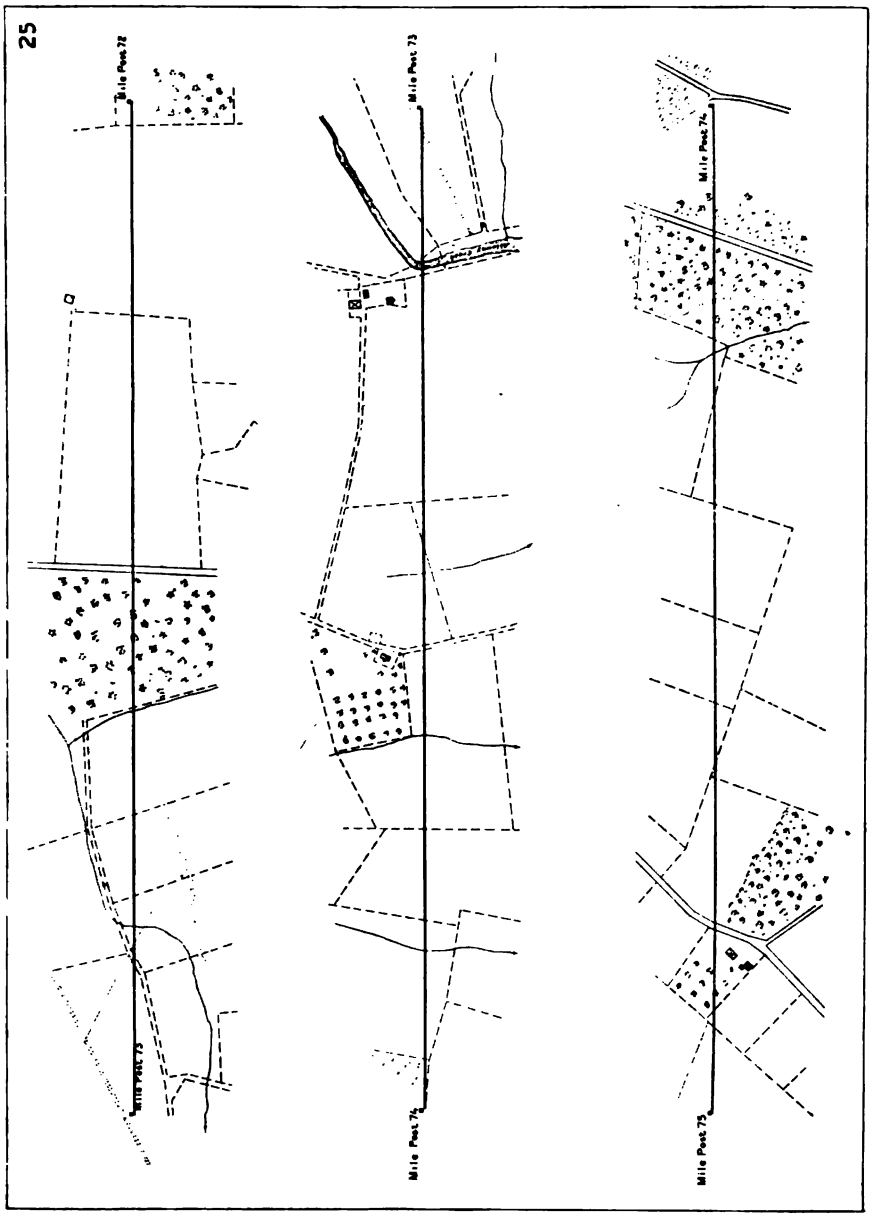
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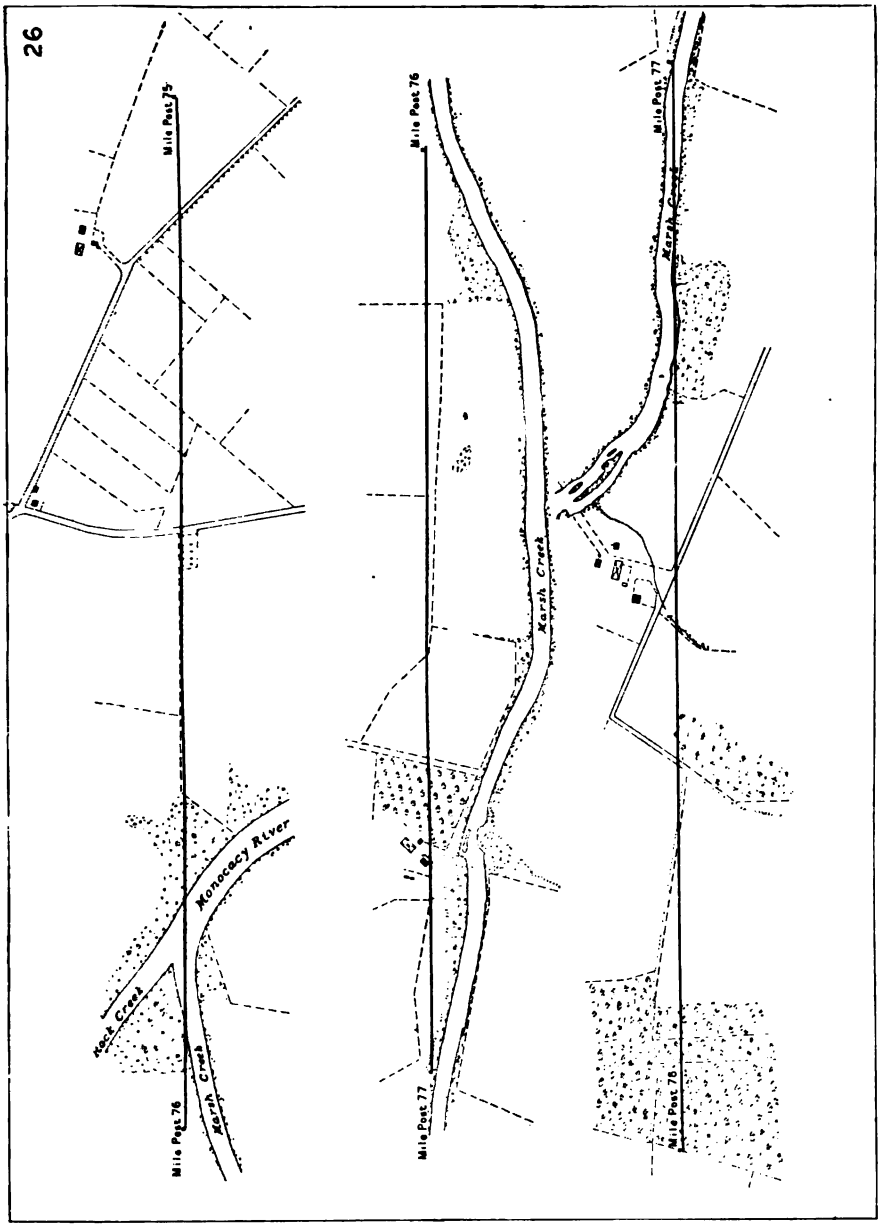
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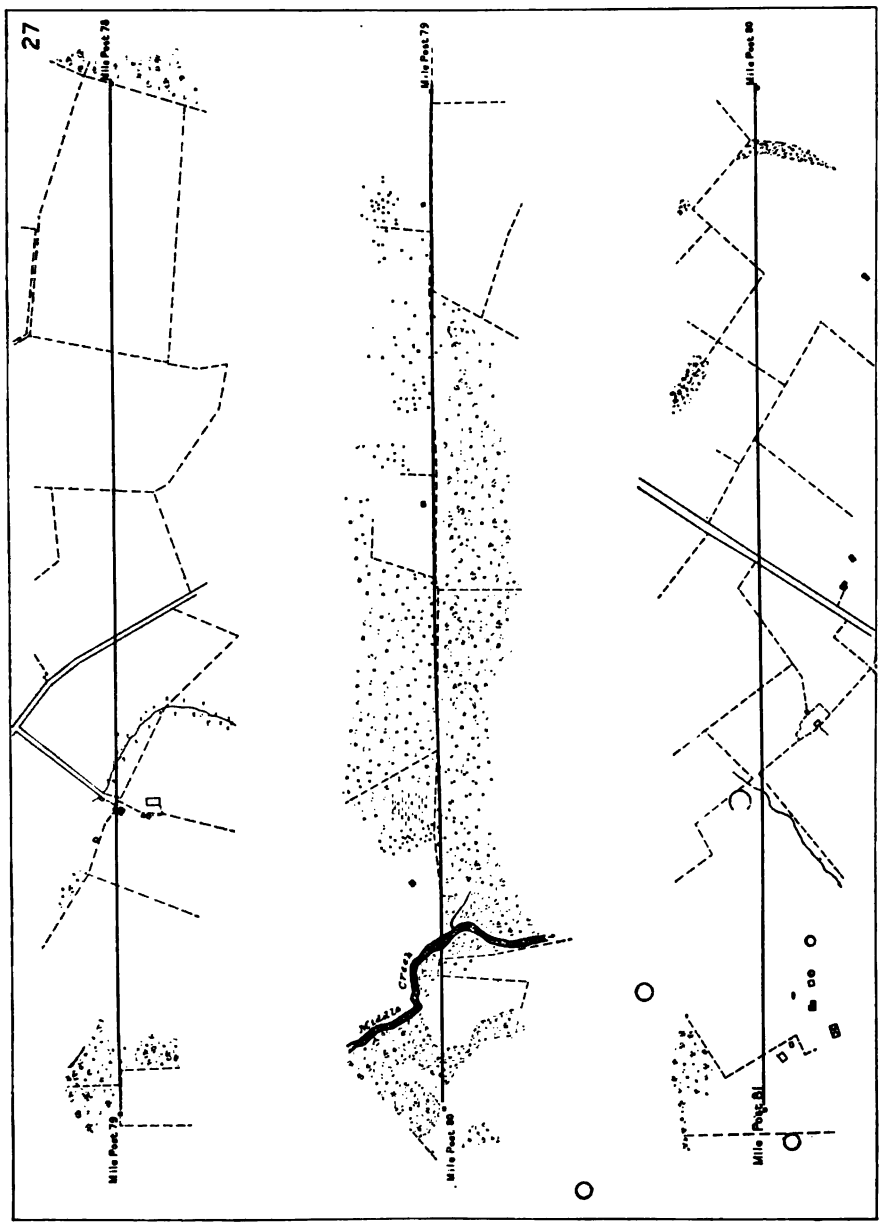
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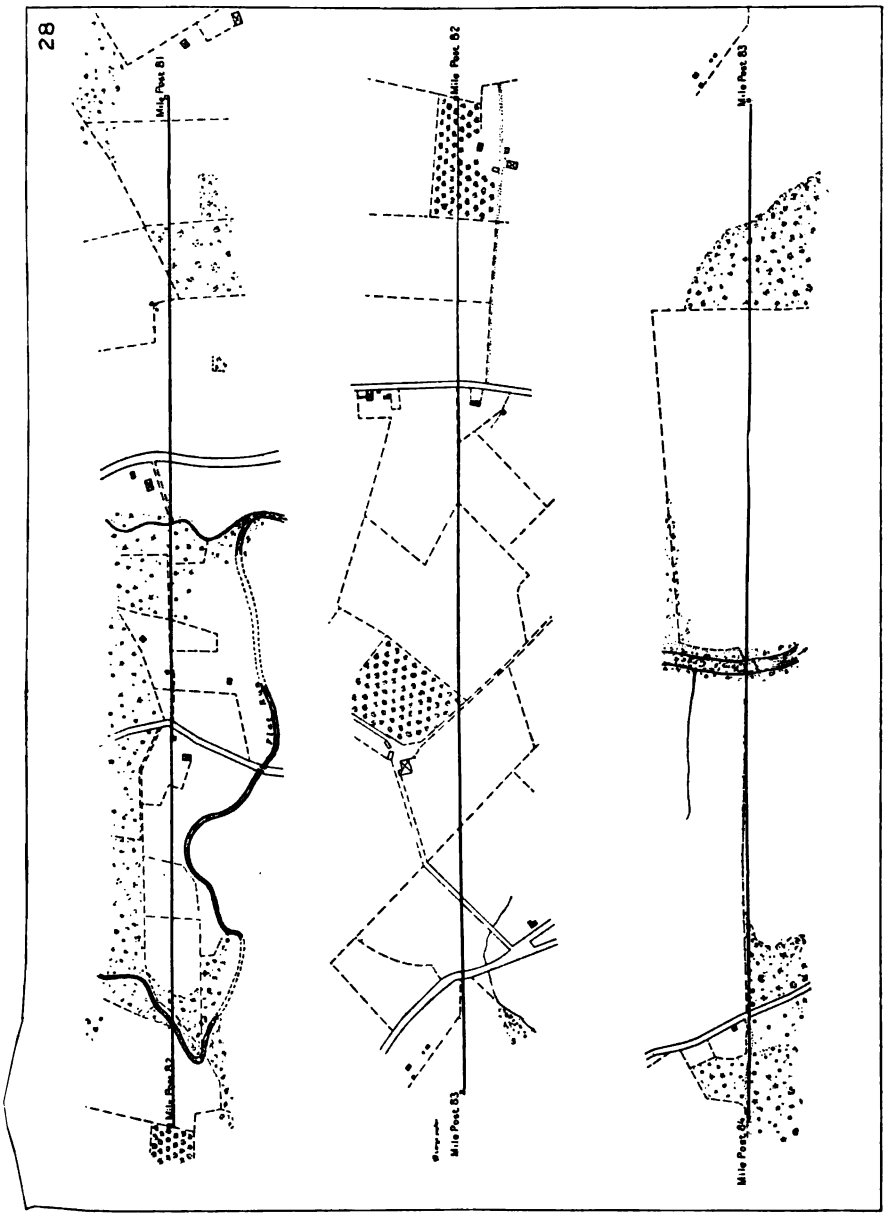
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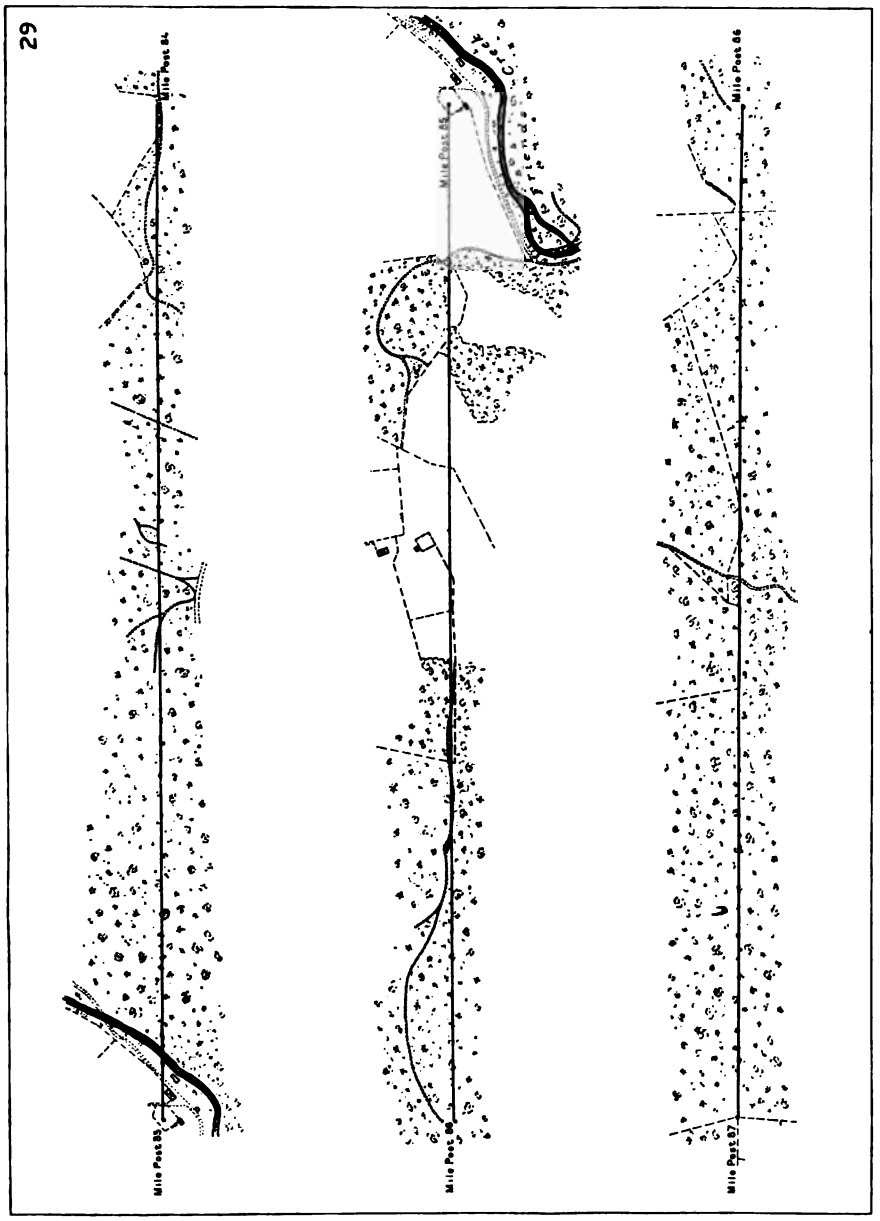
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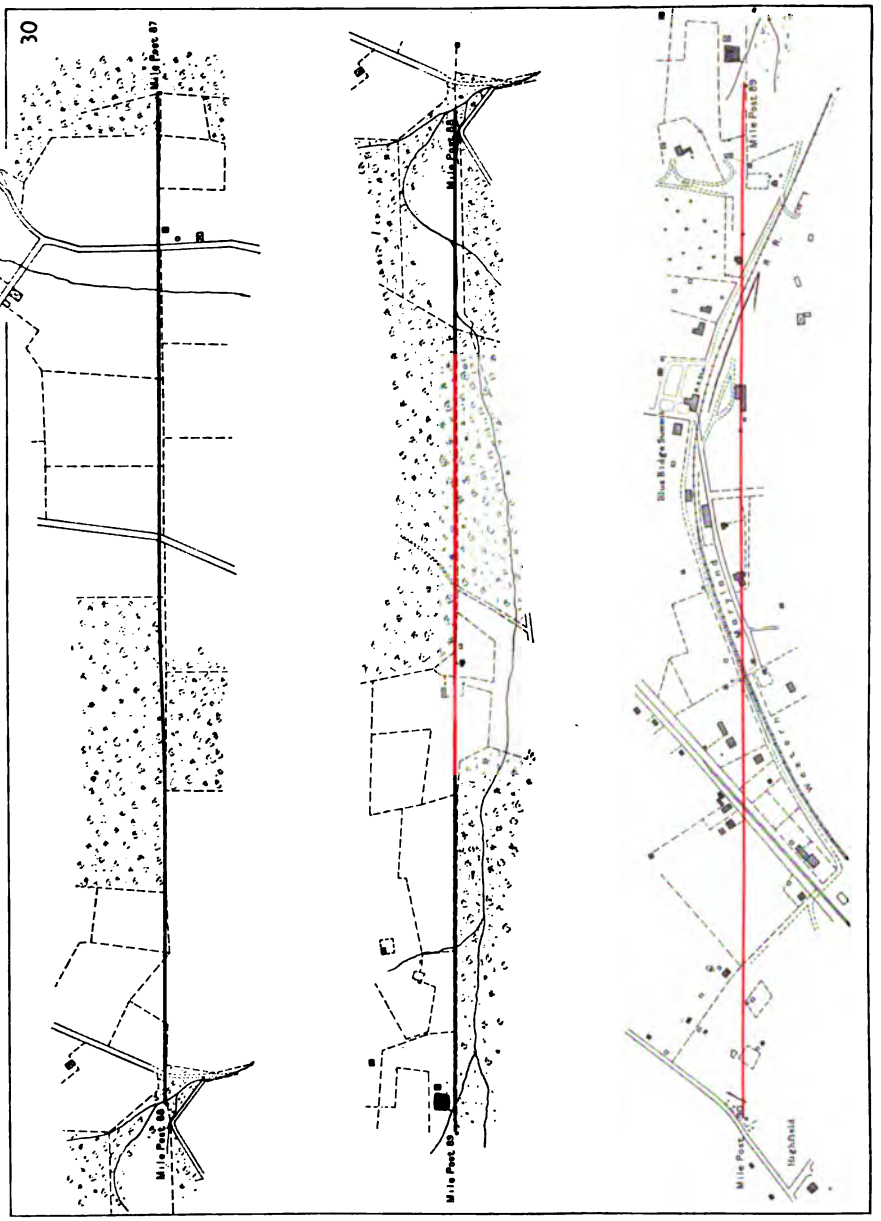
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Mile Post 89
Mile Post 88
Mile Post 89
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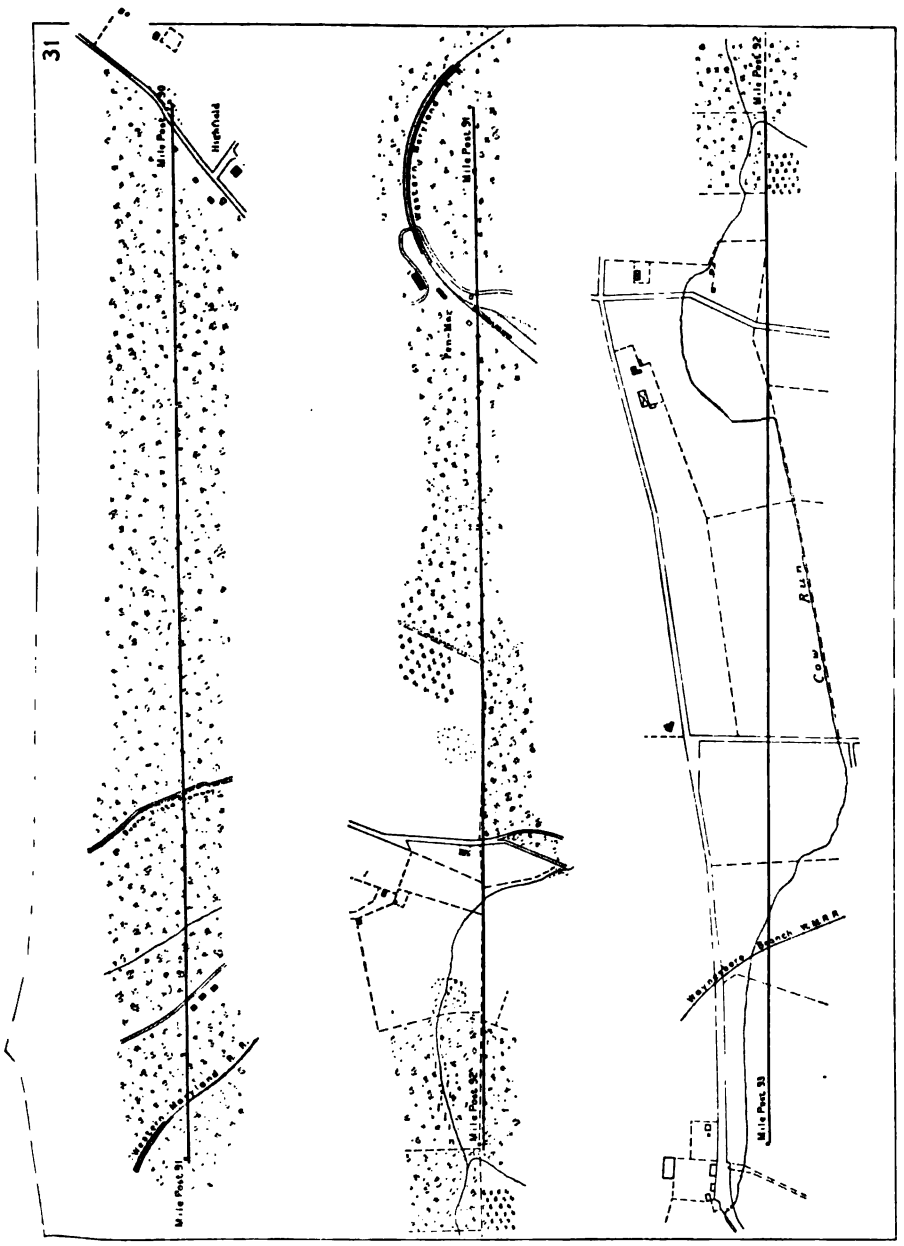
Maryland
Mile Post
Highfield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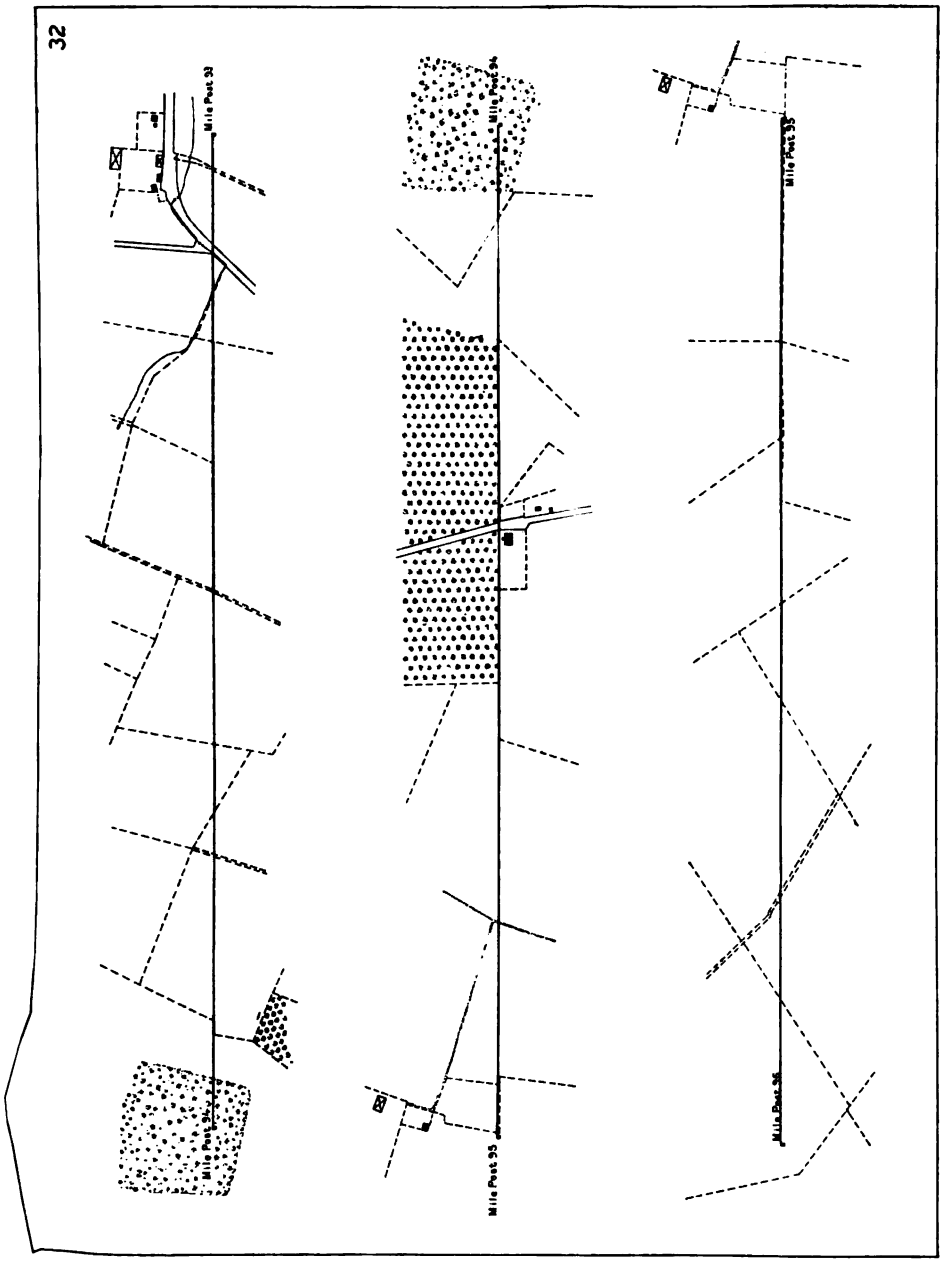
Highfield
Mile Post 91
Western Maryland R. R.
Mile Post 91
Fen-Mar
Mile Post 92
Mile Post 92
Cow Run
Waynesboro Branch W.M.R.R.
Mile Post 93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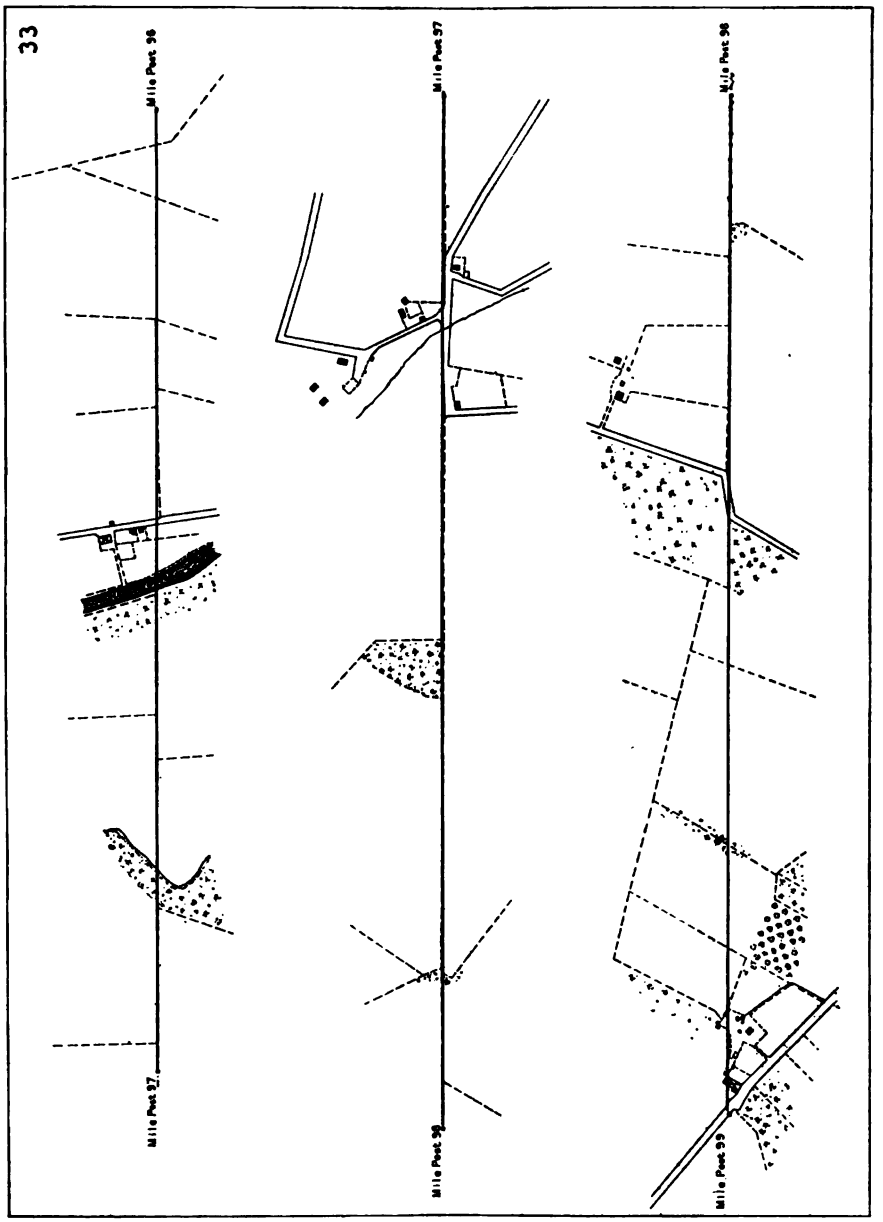
Mile Post 35
Mile Post 36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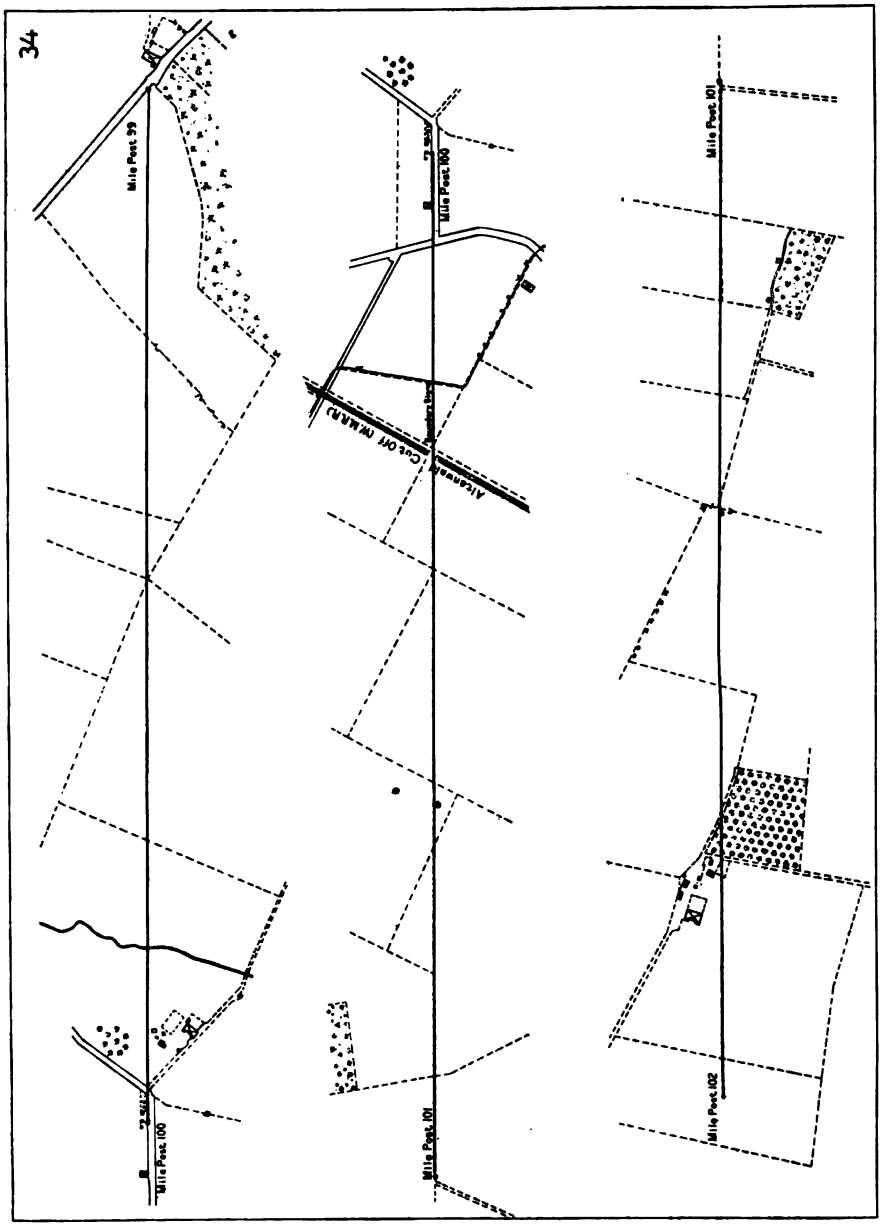
Mile Post 98
Mile Post 99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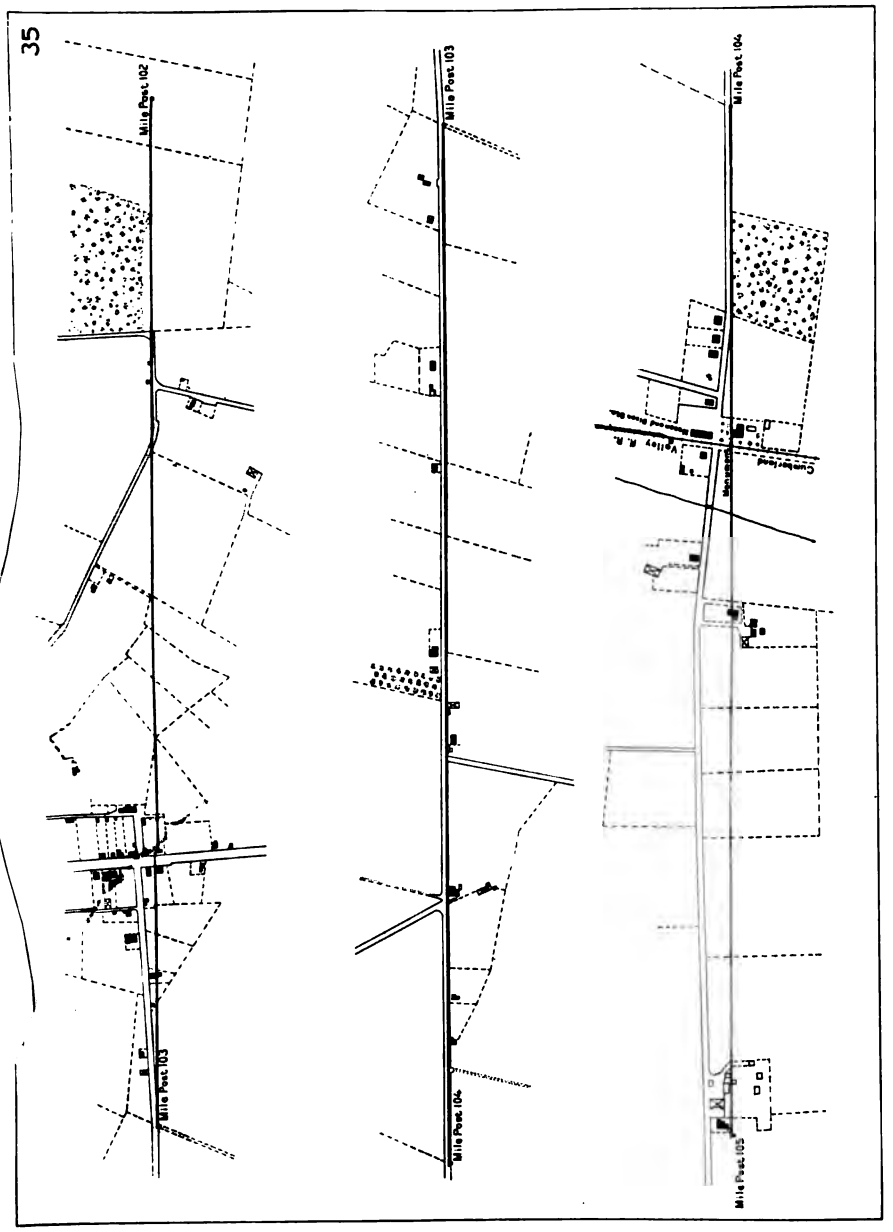
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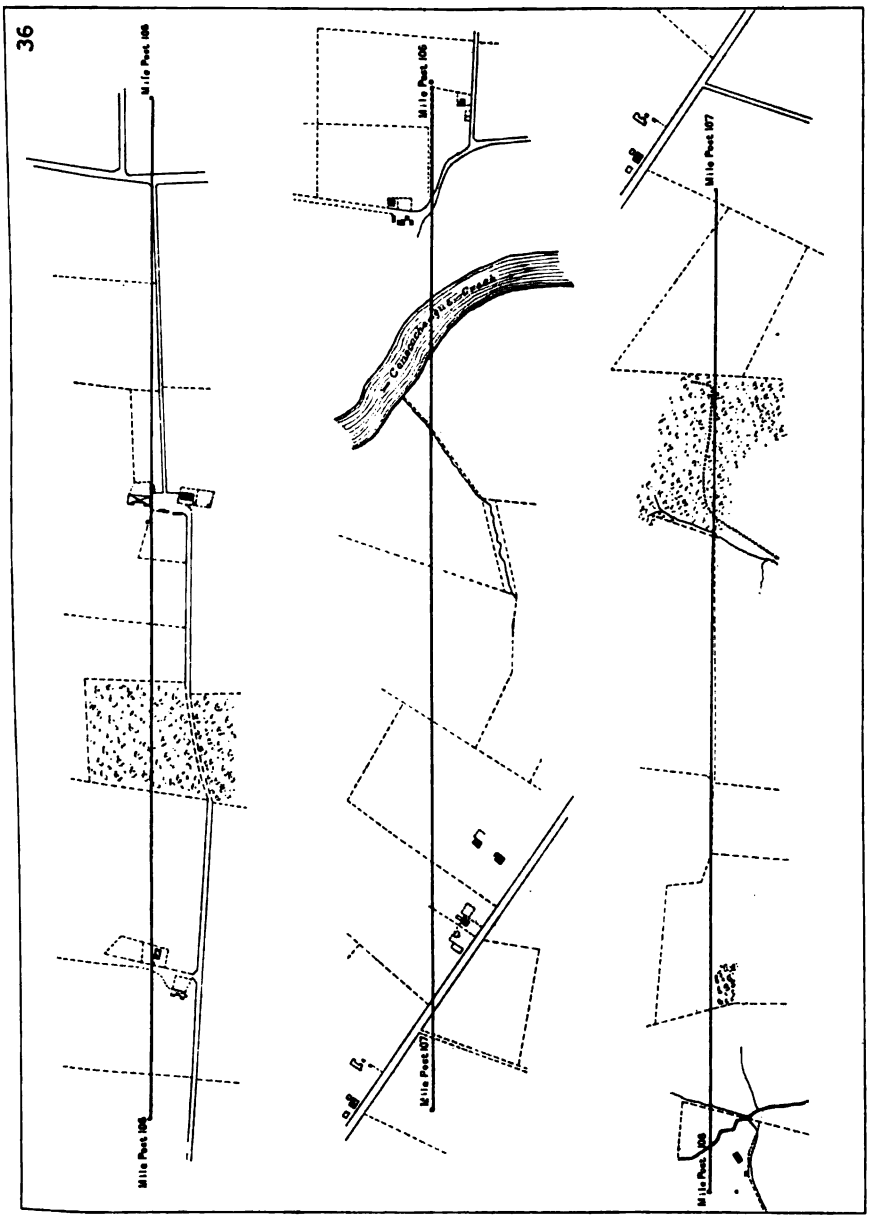
Mile Post 105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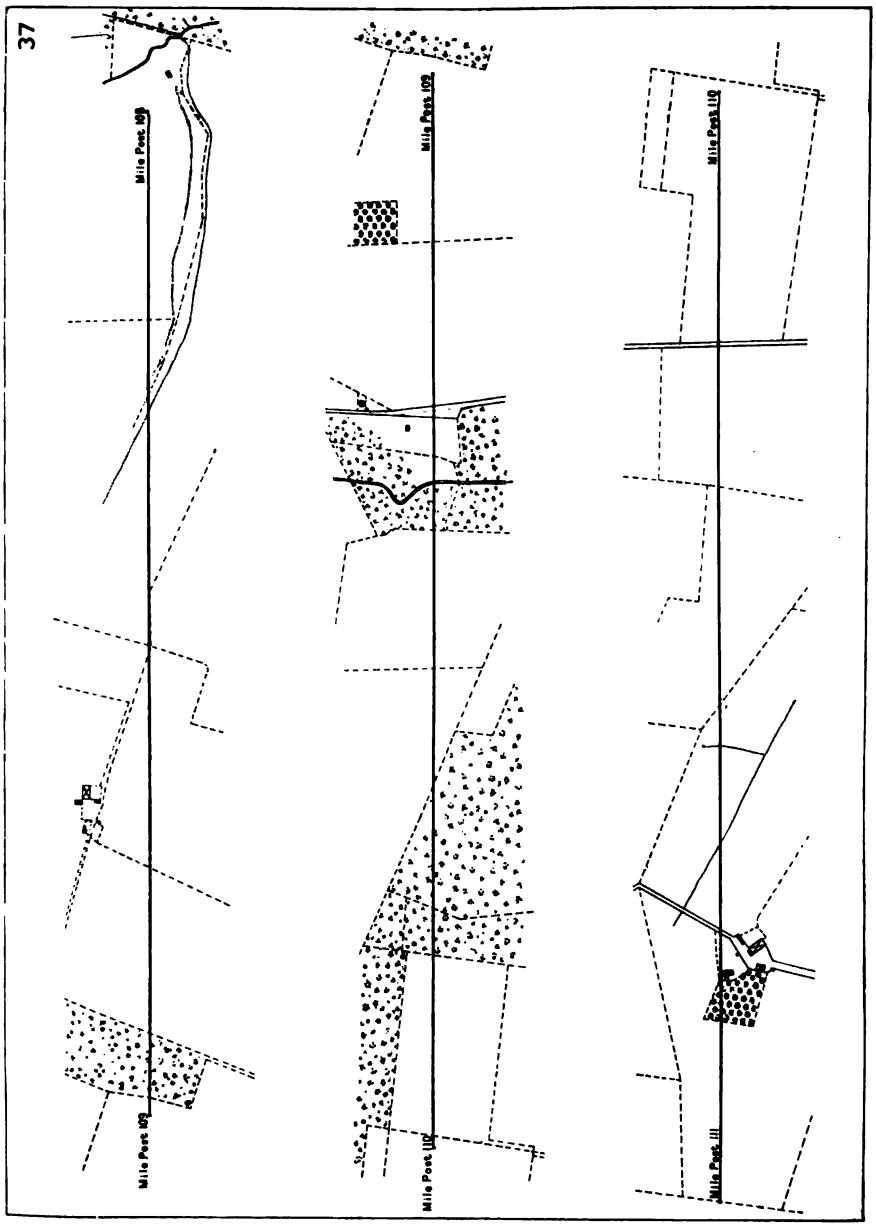
Mile Post 109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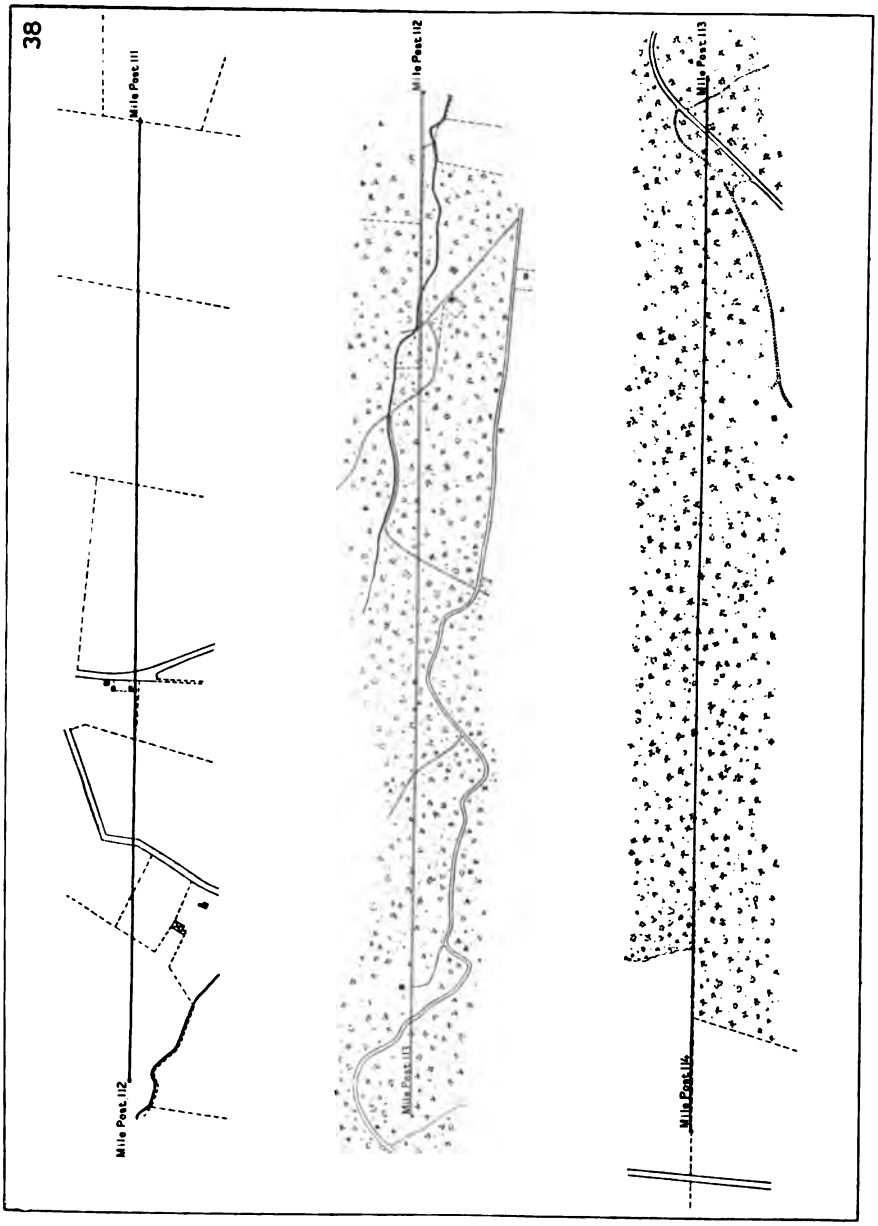
Mile Post 111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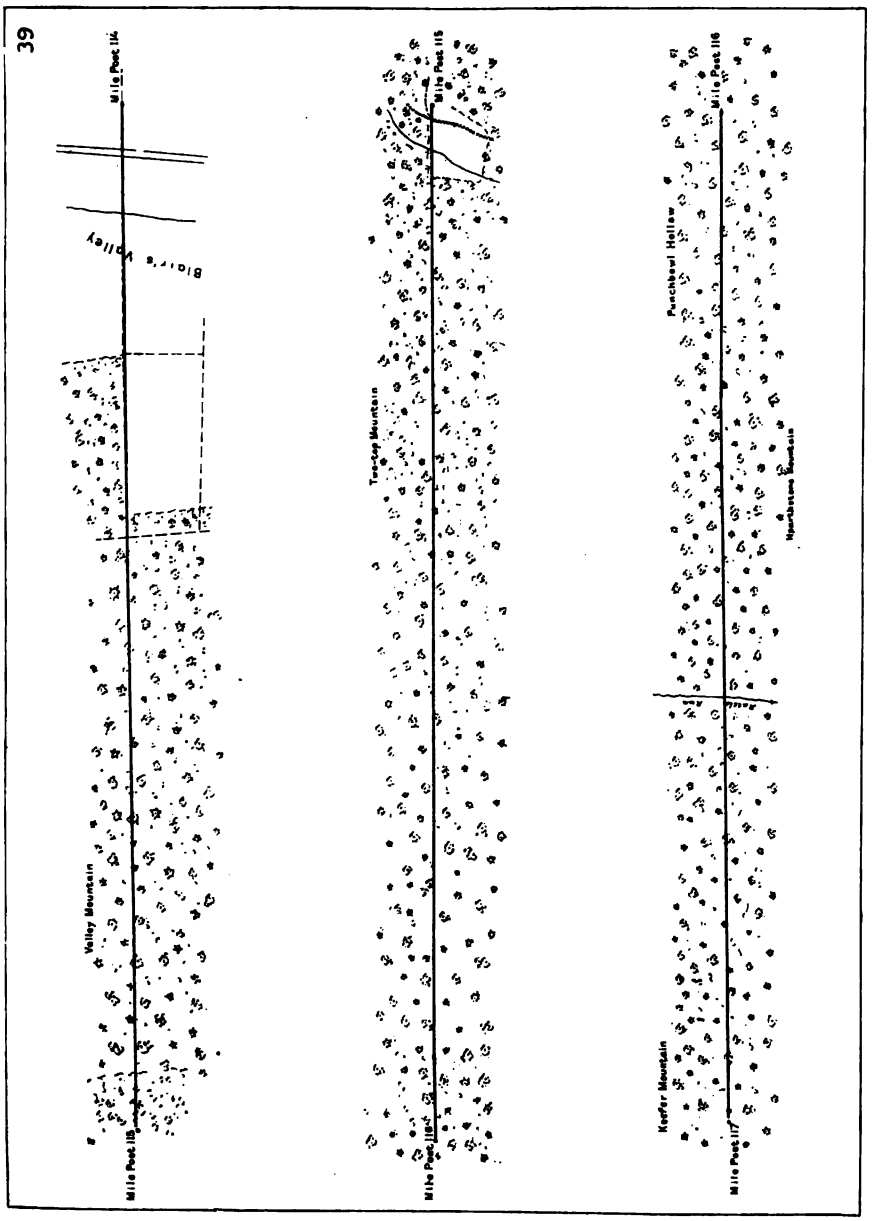
Mile Post 113
Mile Post 114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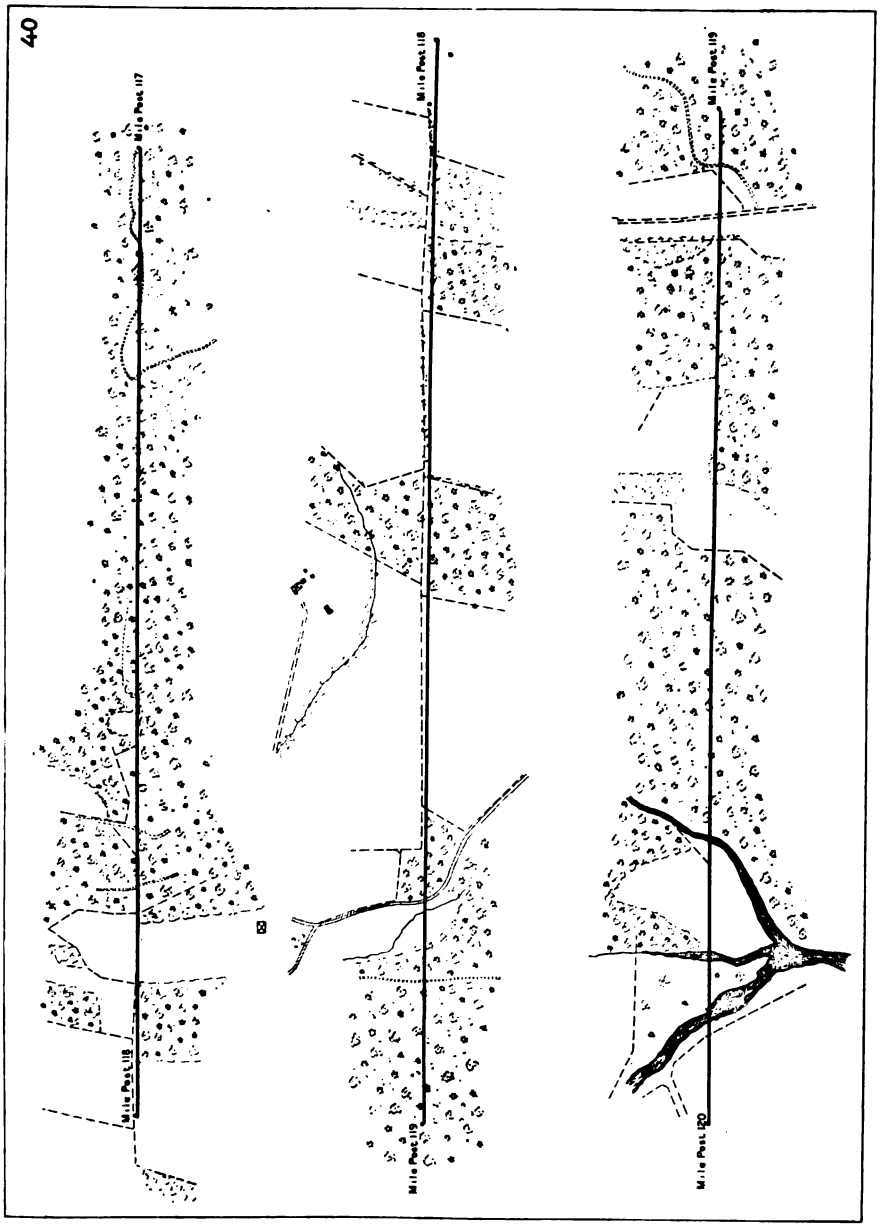
Valley Mountain
Mile Post 115
Tuscarora Mountain
Mile Post 116
Punchbowl Hollow
Sideling Hill
Keefer Mountain
Mile Post 117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Mile Post 120

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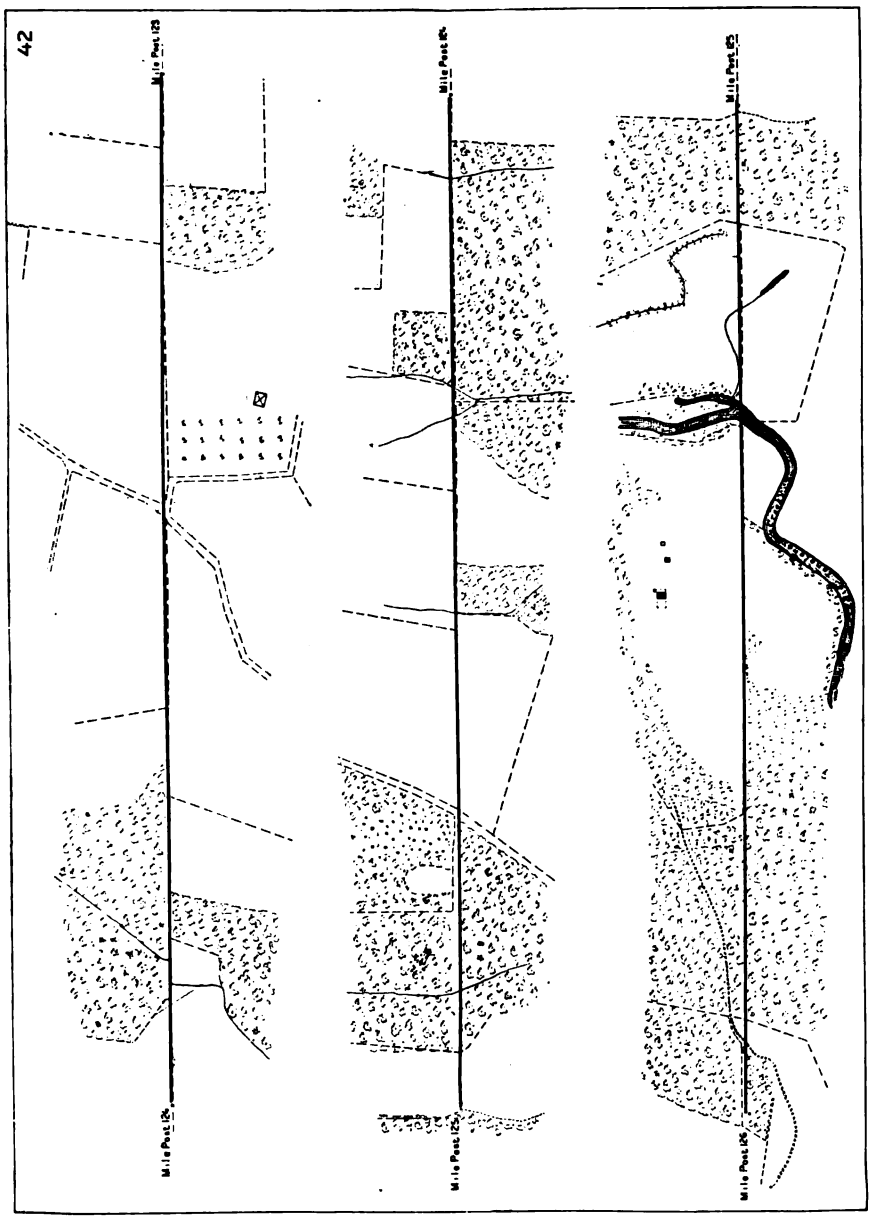
Mile Post 123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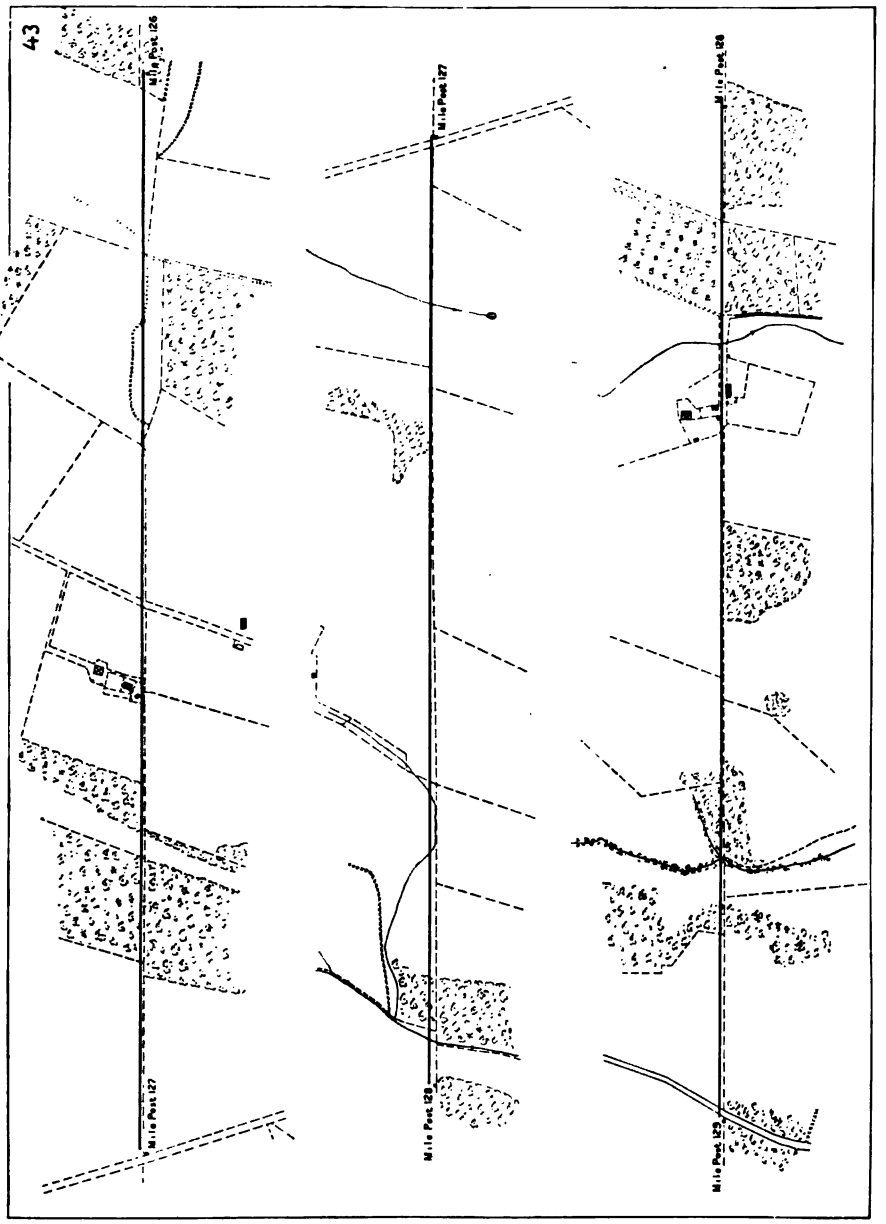
Mile Post 125
Mile Post 126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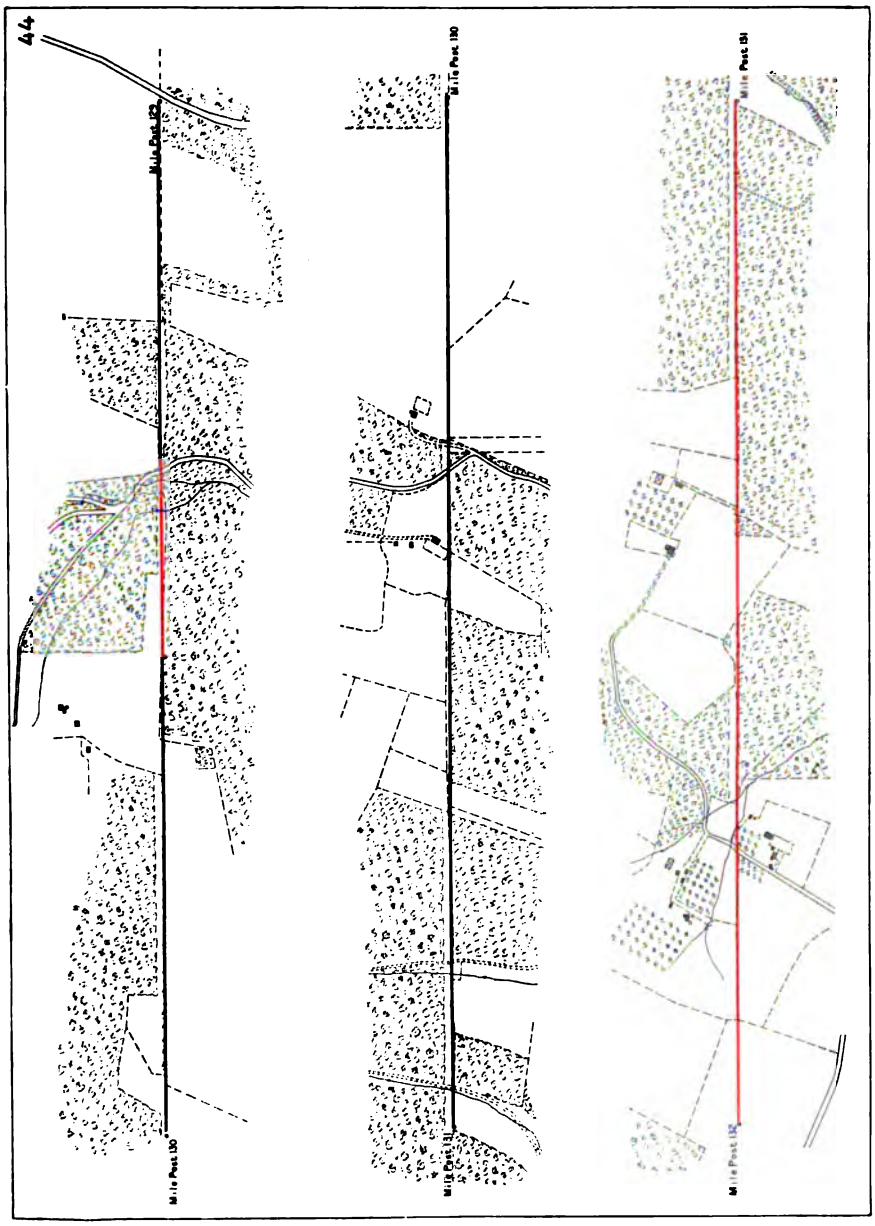
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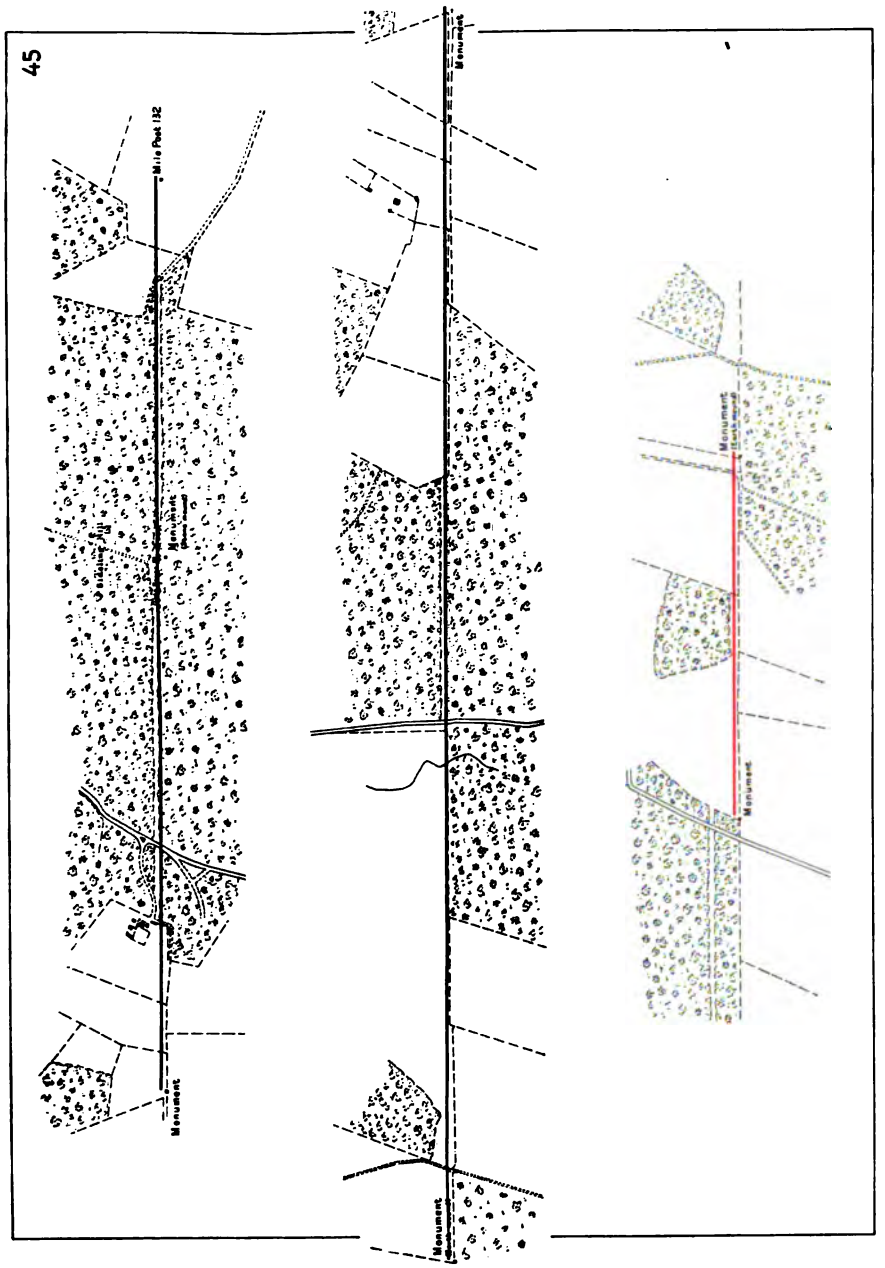
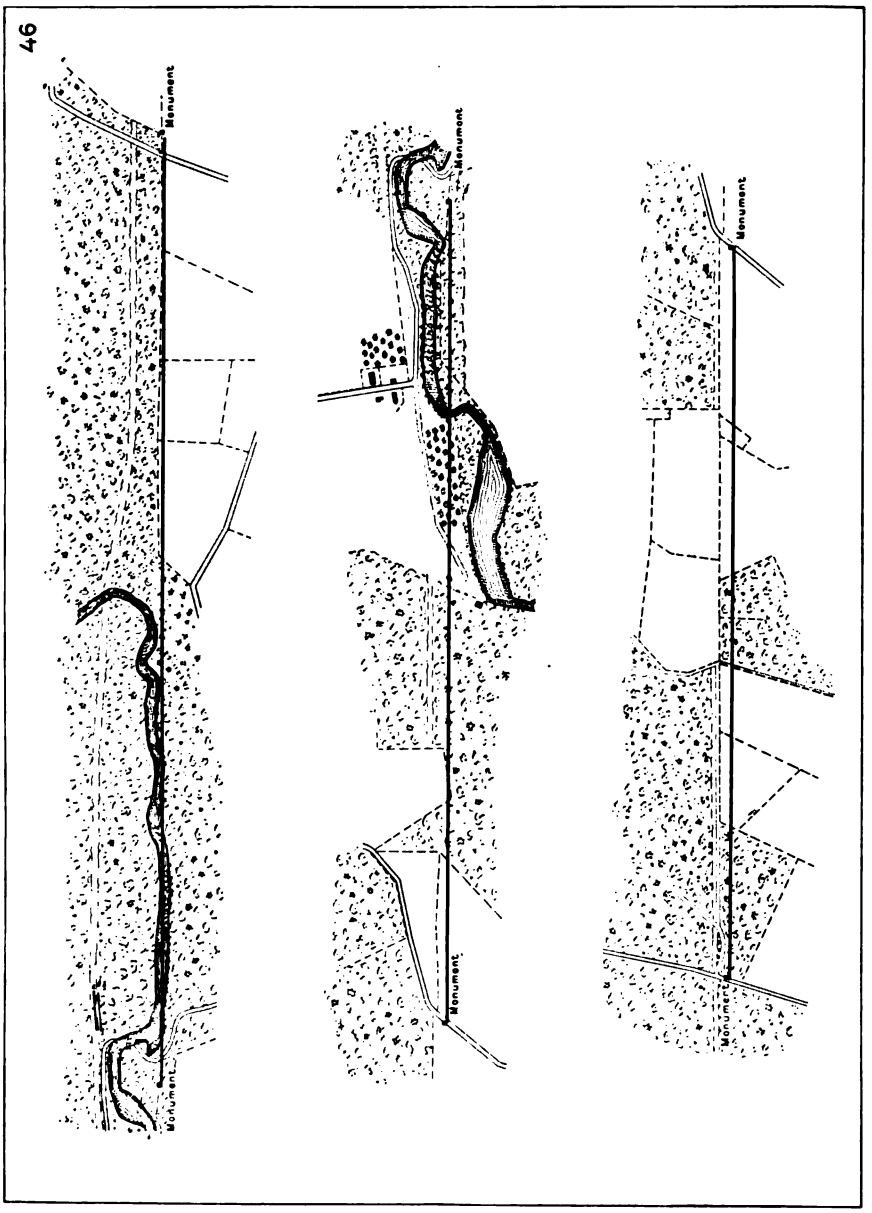
Mile Post 131
Mile Post 132

RESURVEY OF MASON-DIXON LINE. PLATE XLIX.

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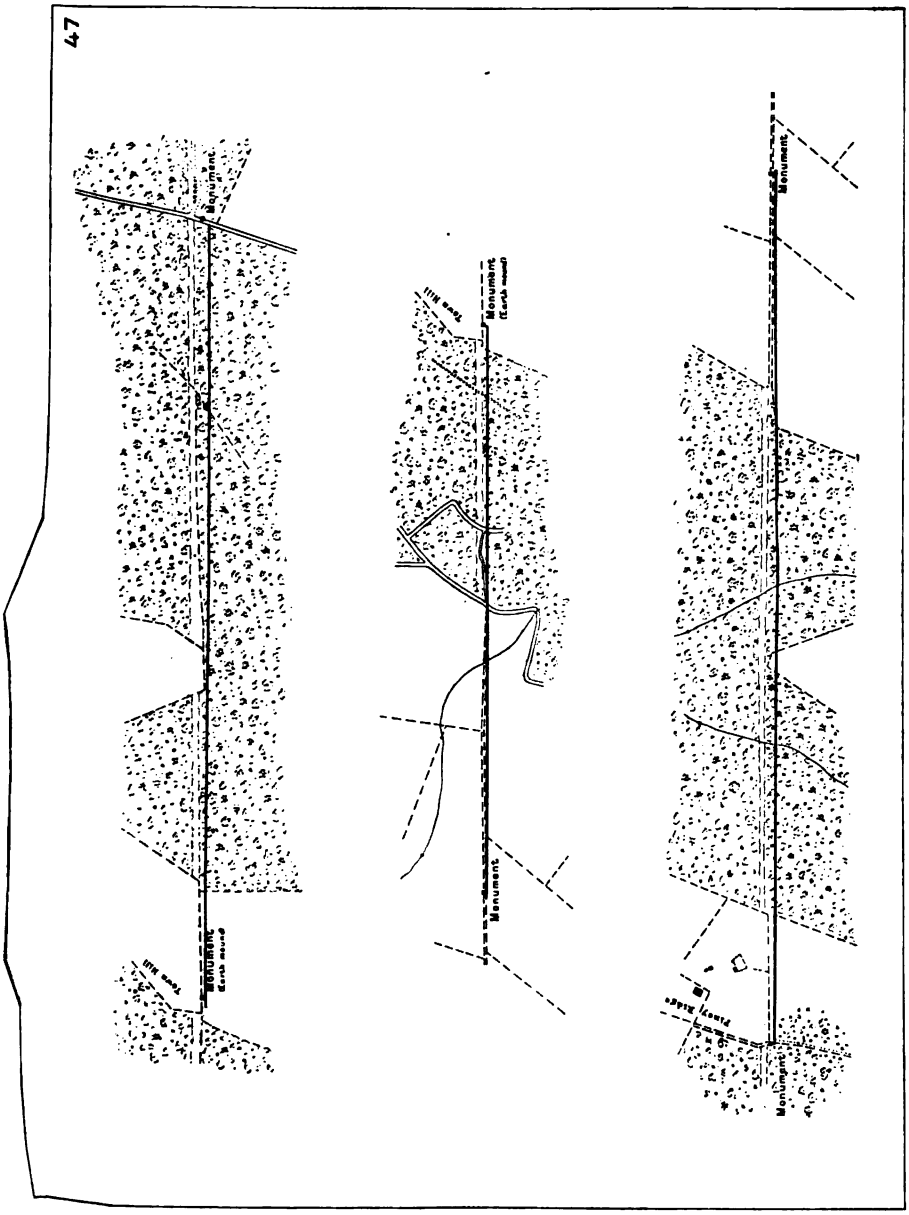
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(Earth mound)
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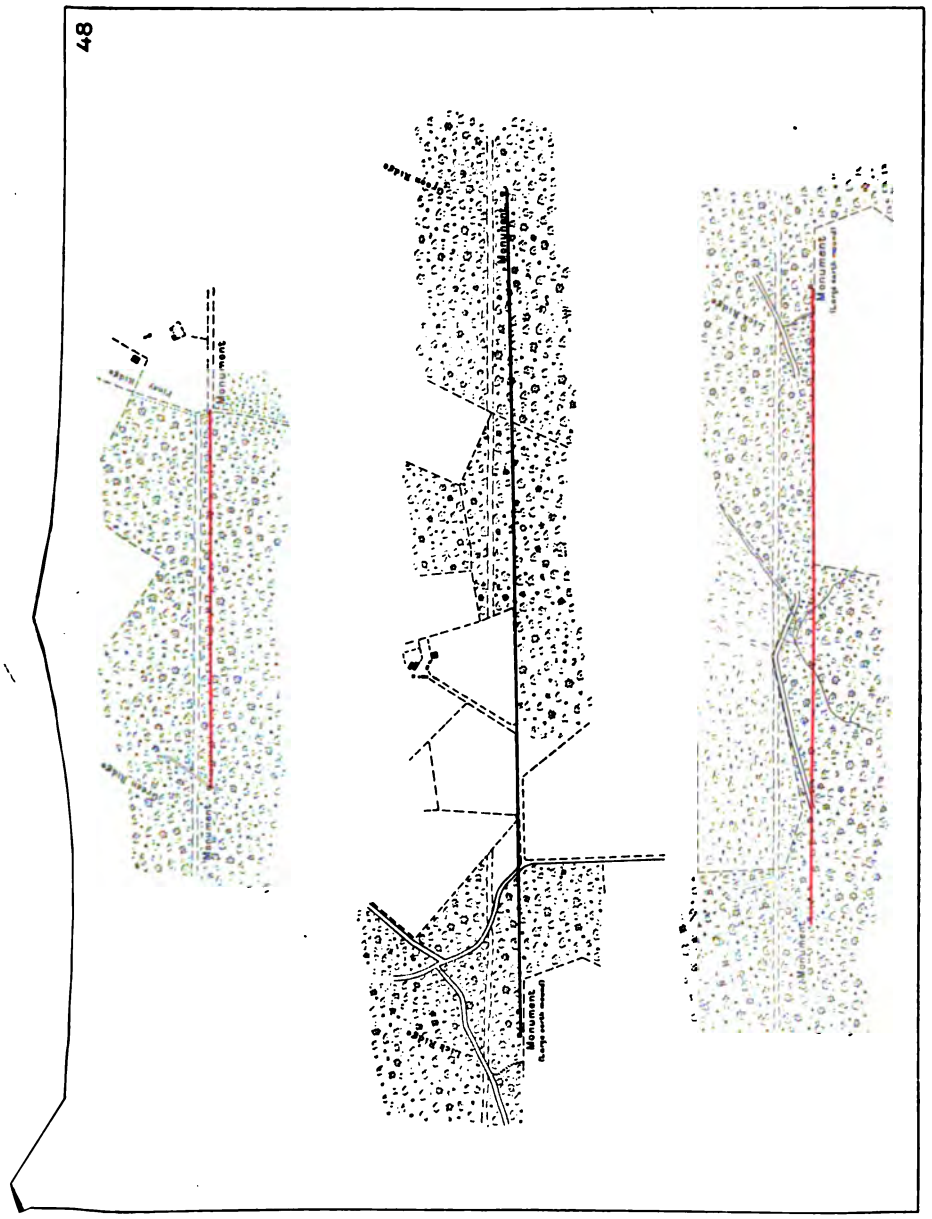
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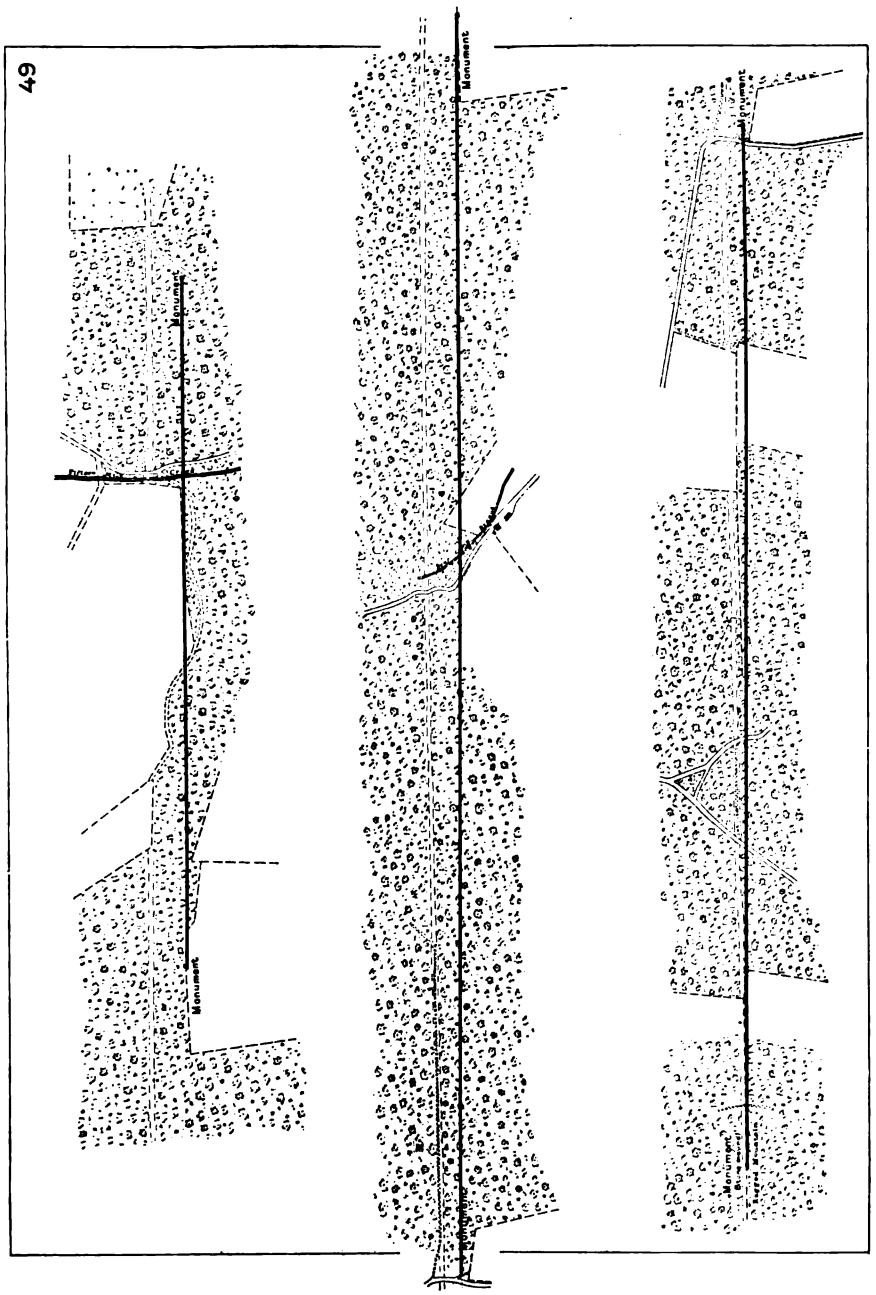
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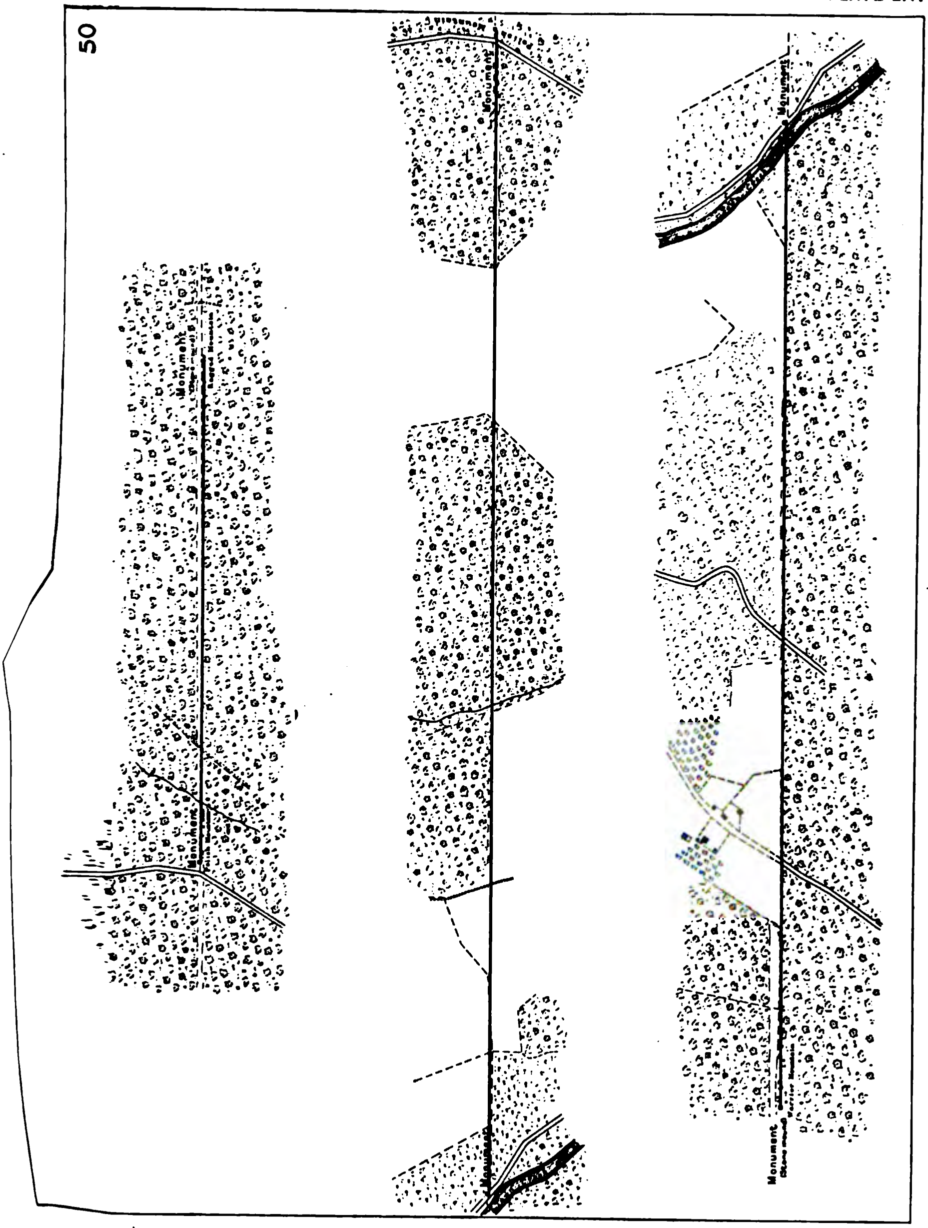
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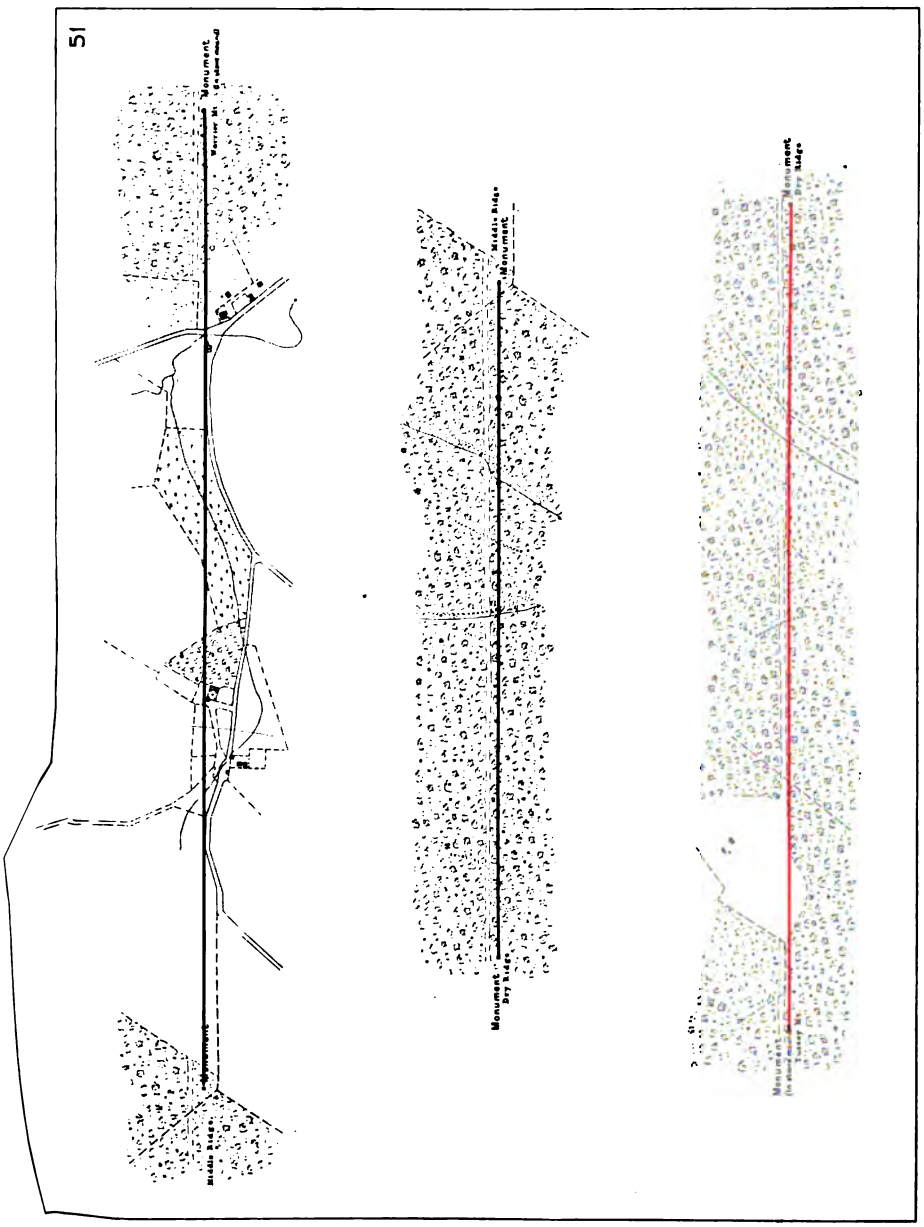
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Middle Ridge
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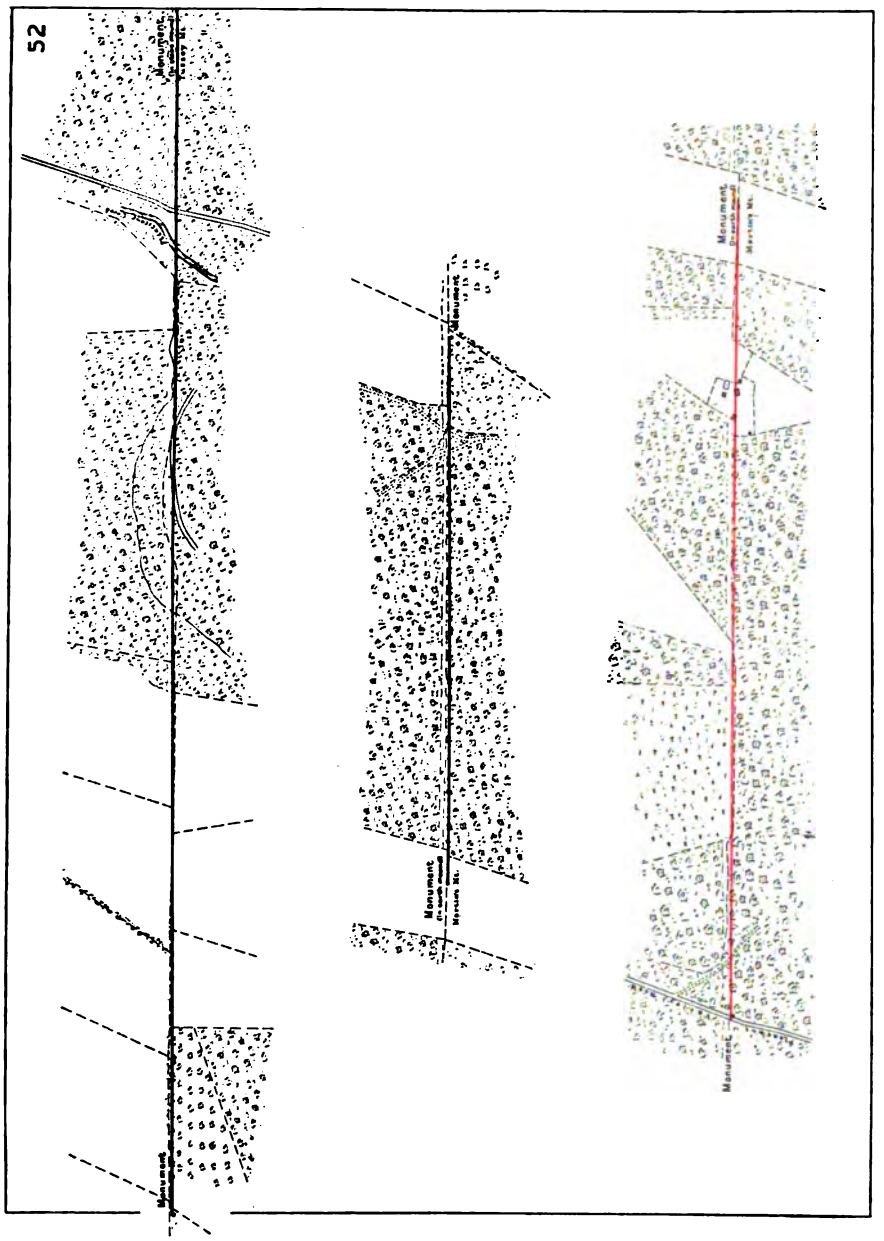
Dry Ridge
Monument
Monument
Ridge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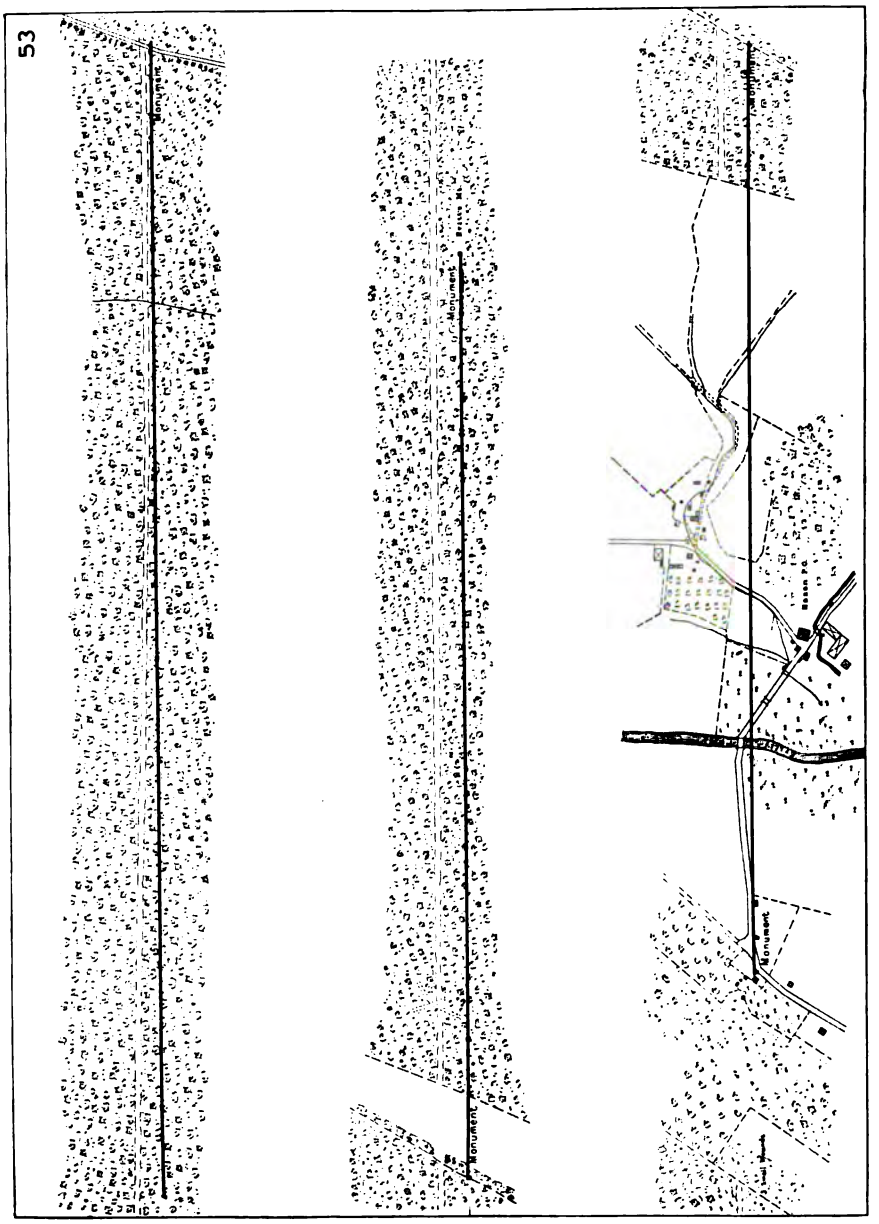
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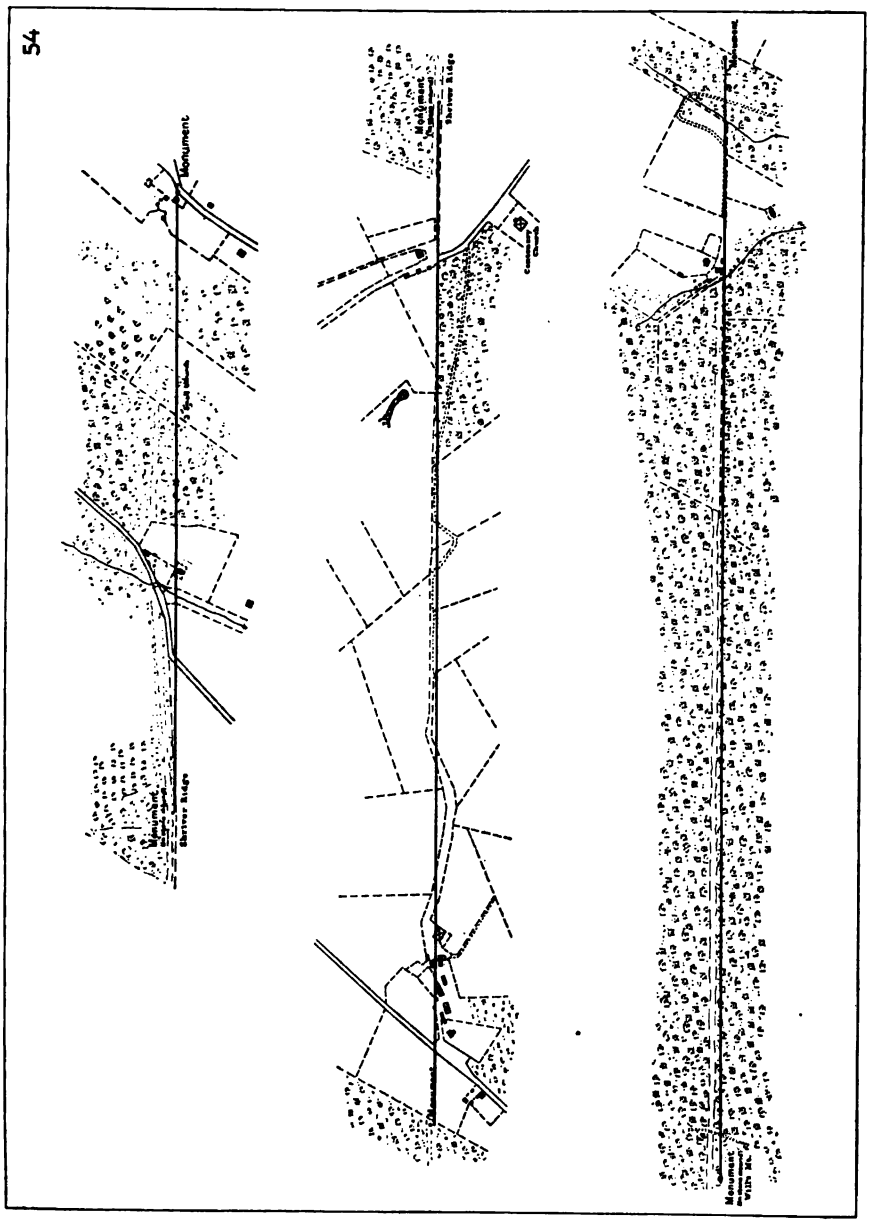
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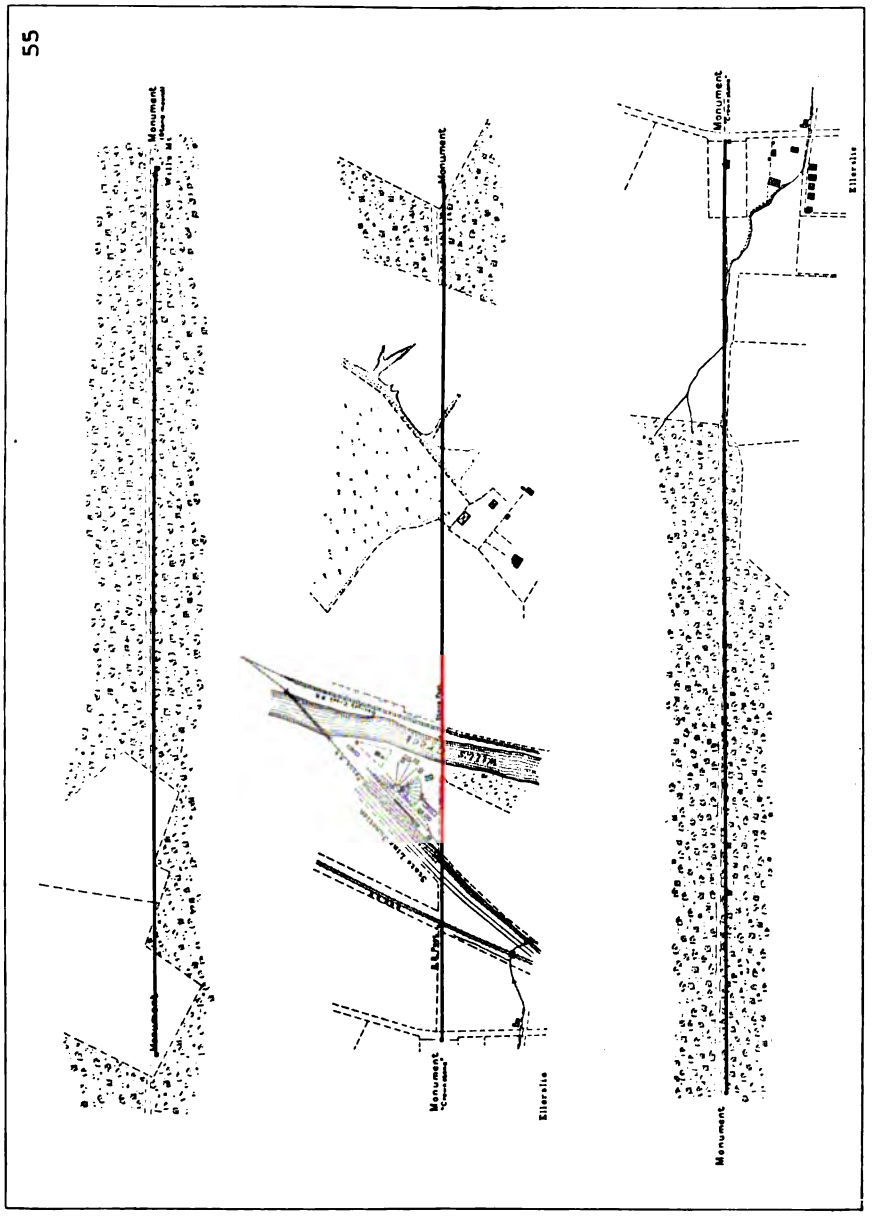
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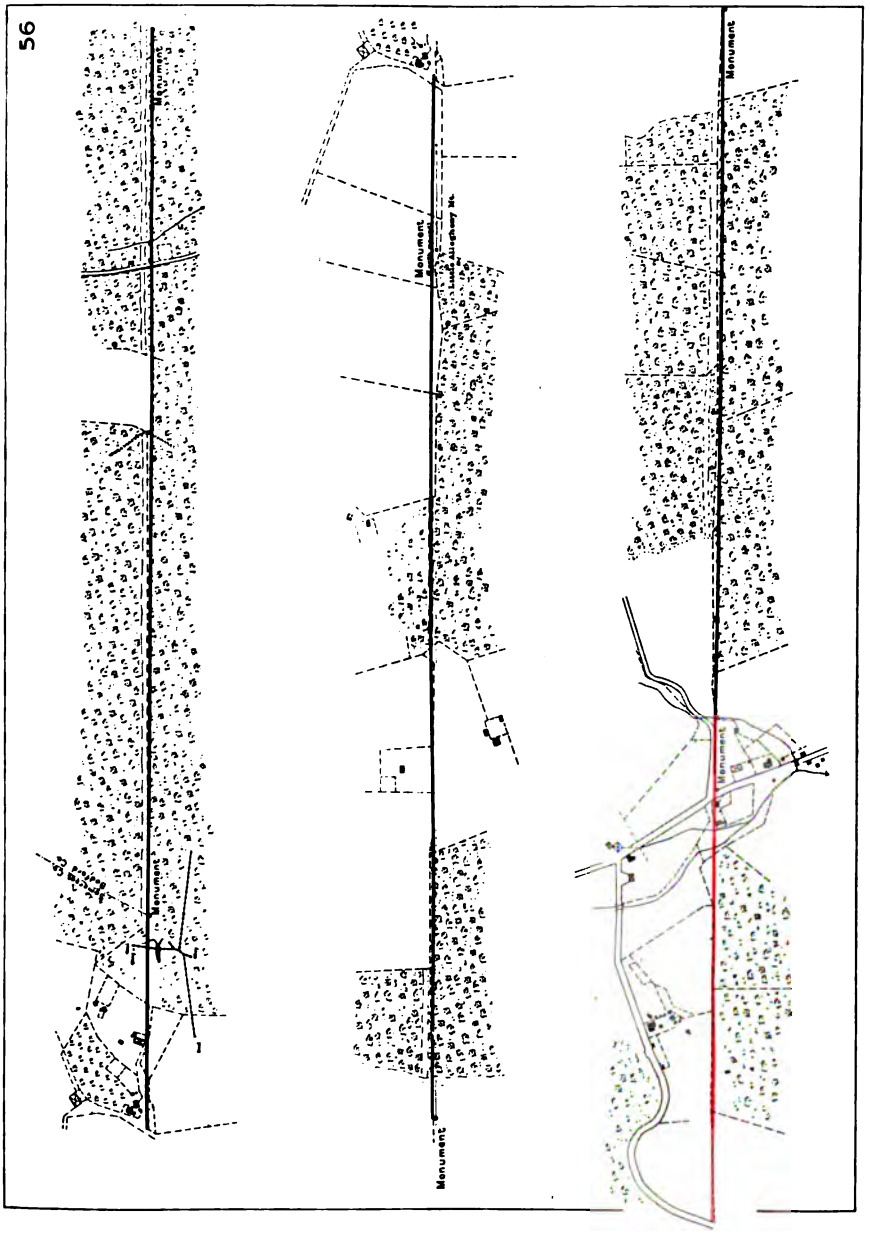
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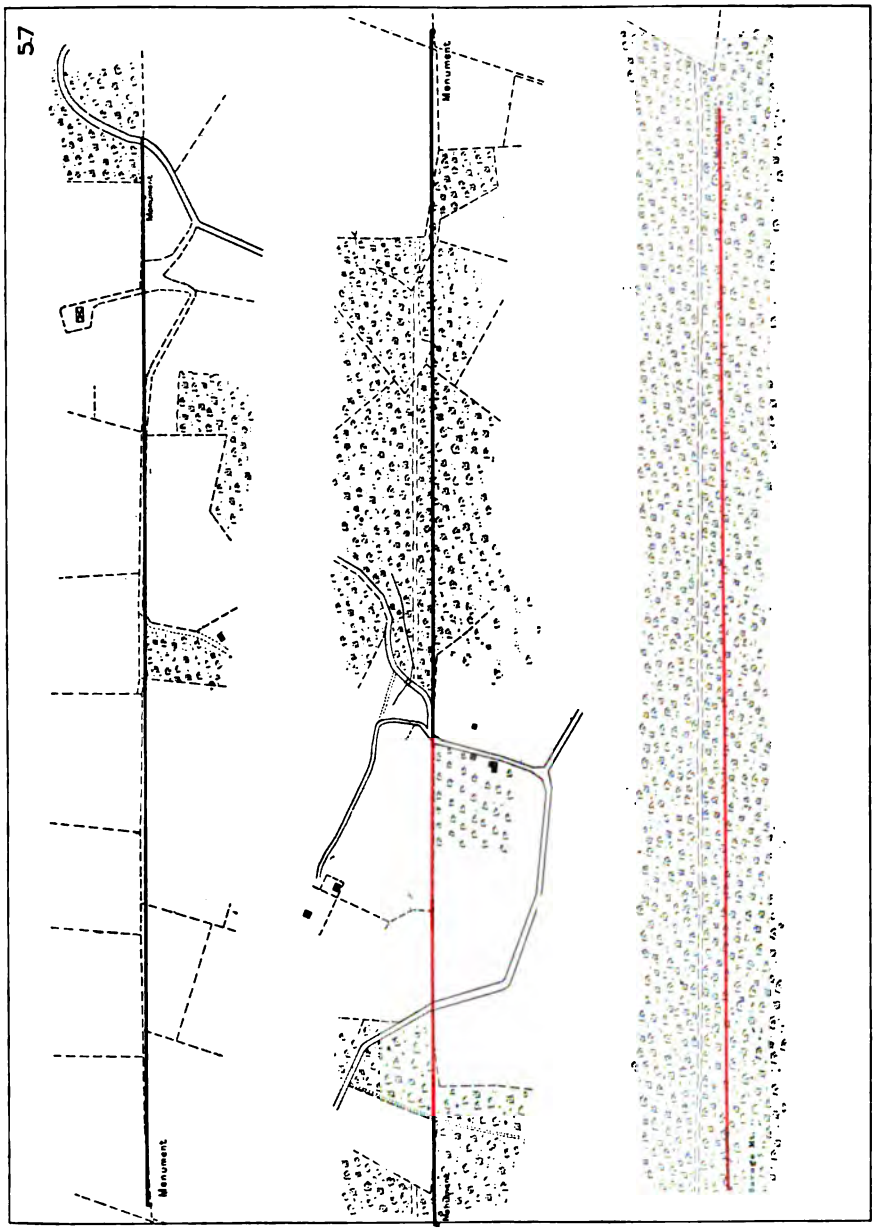
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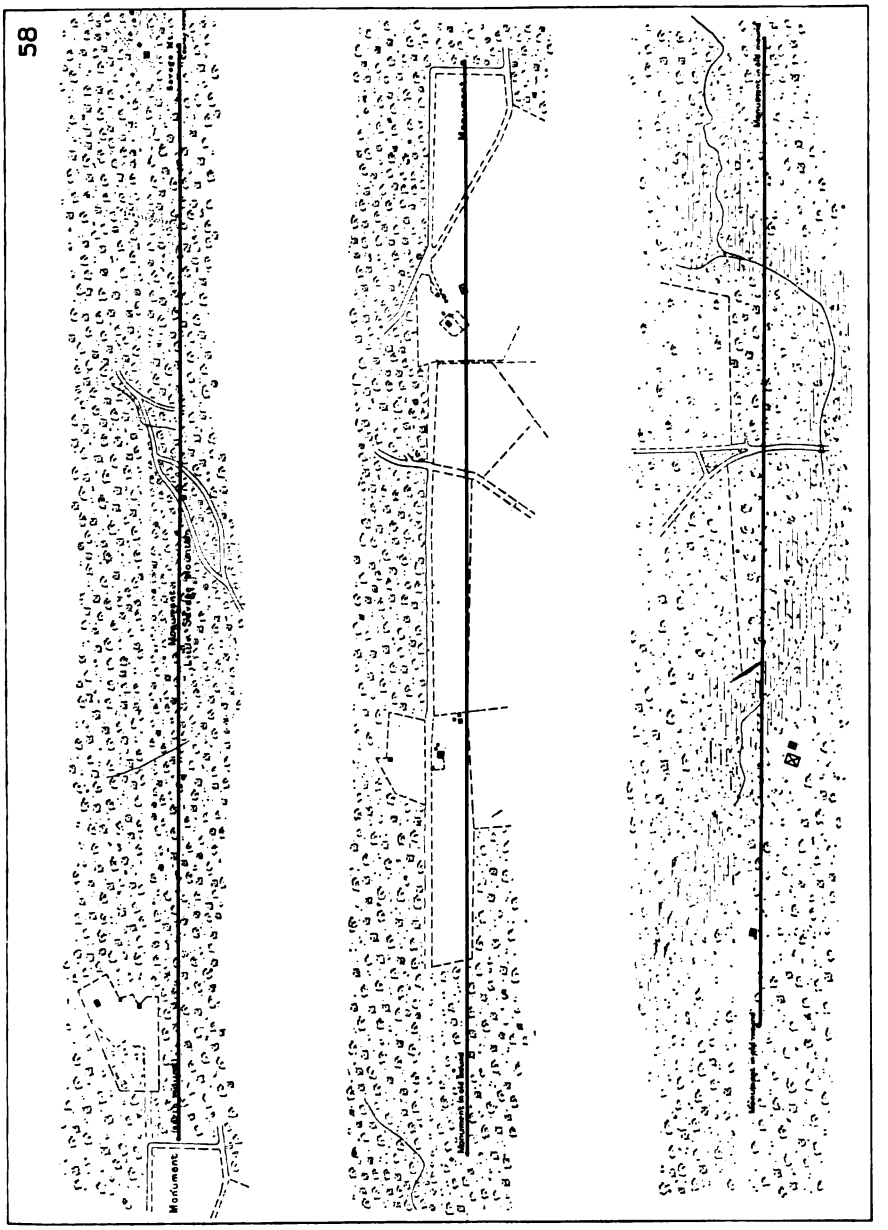
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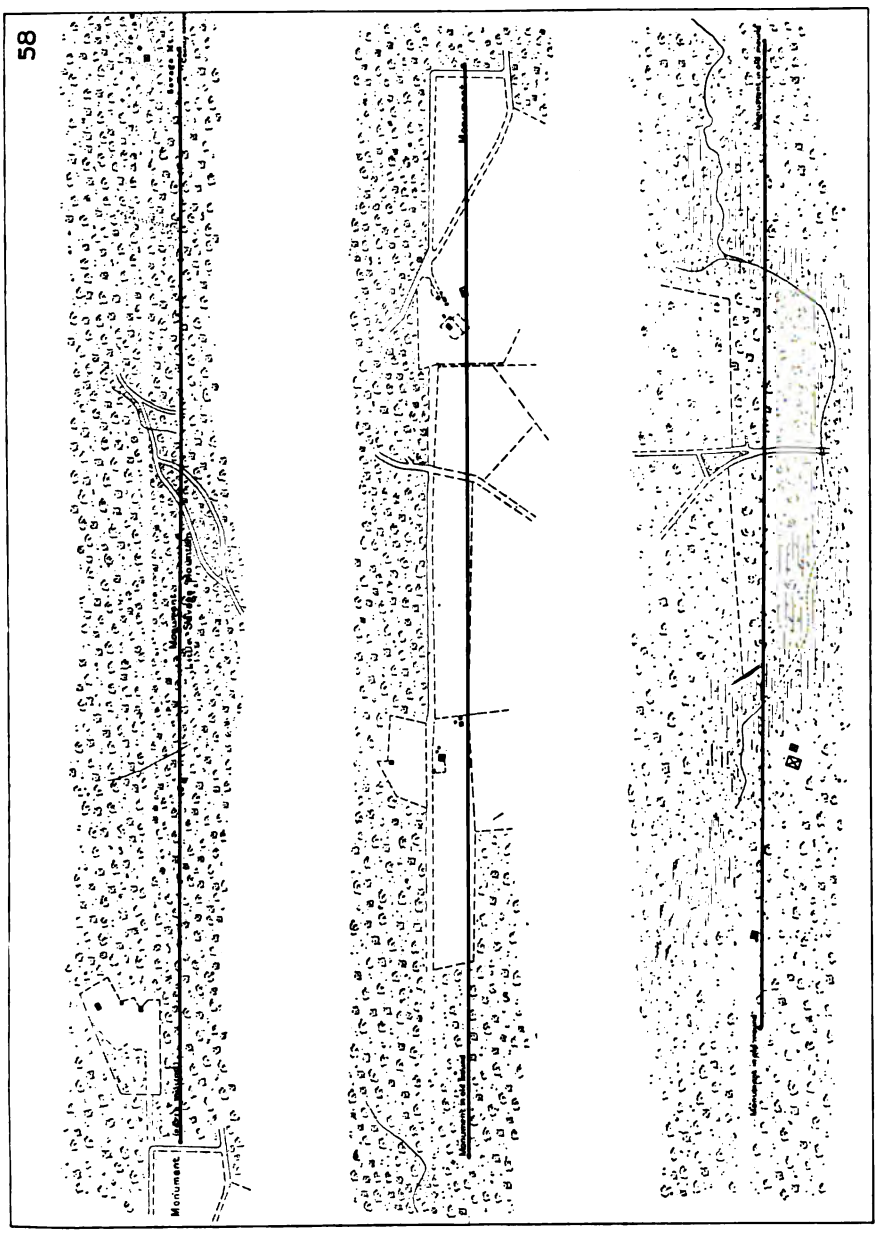
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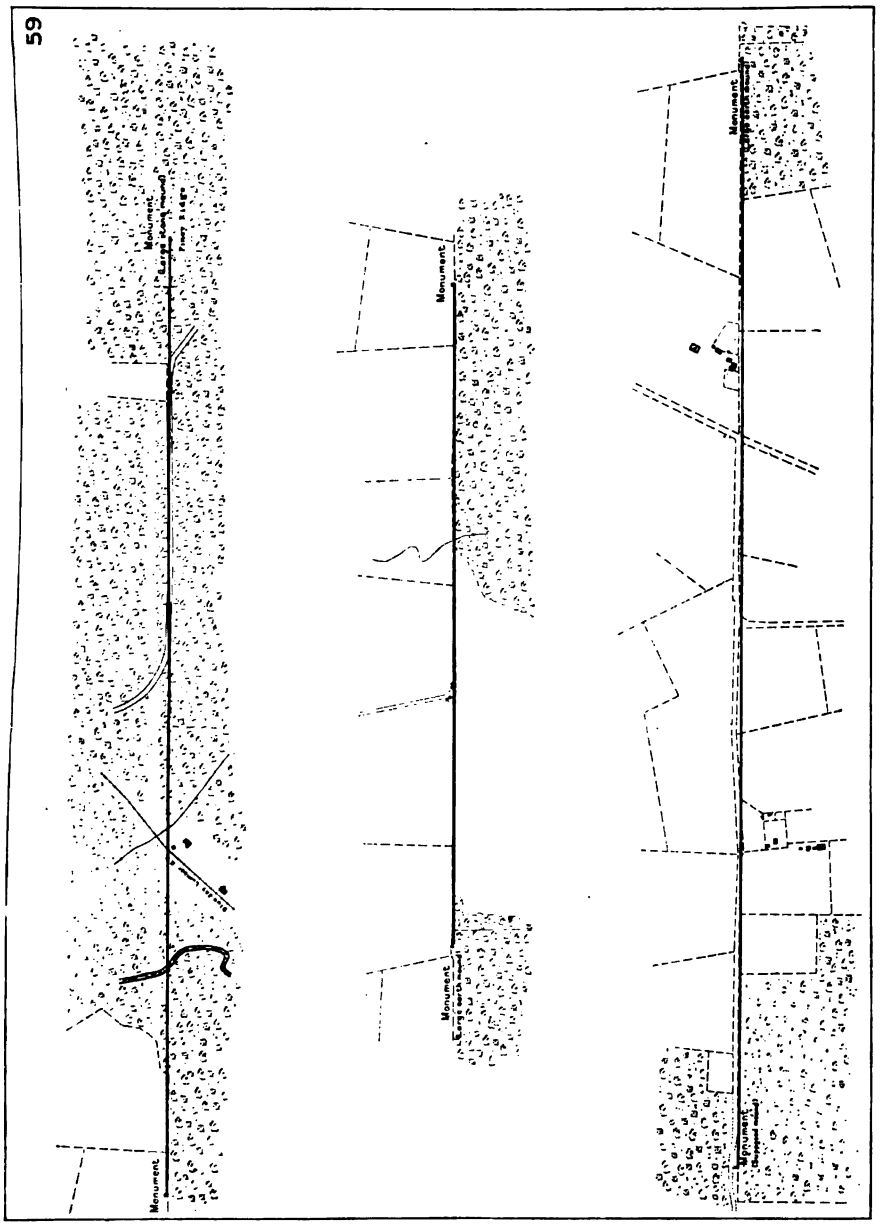
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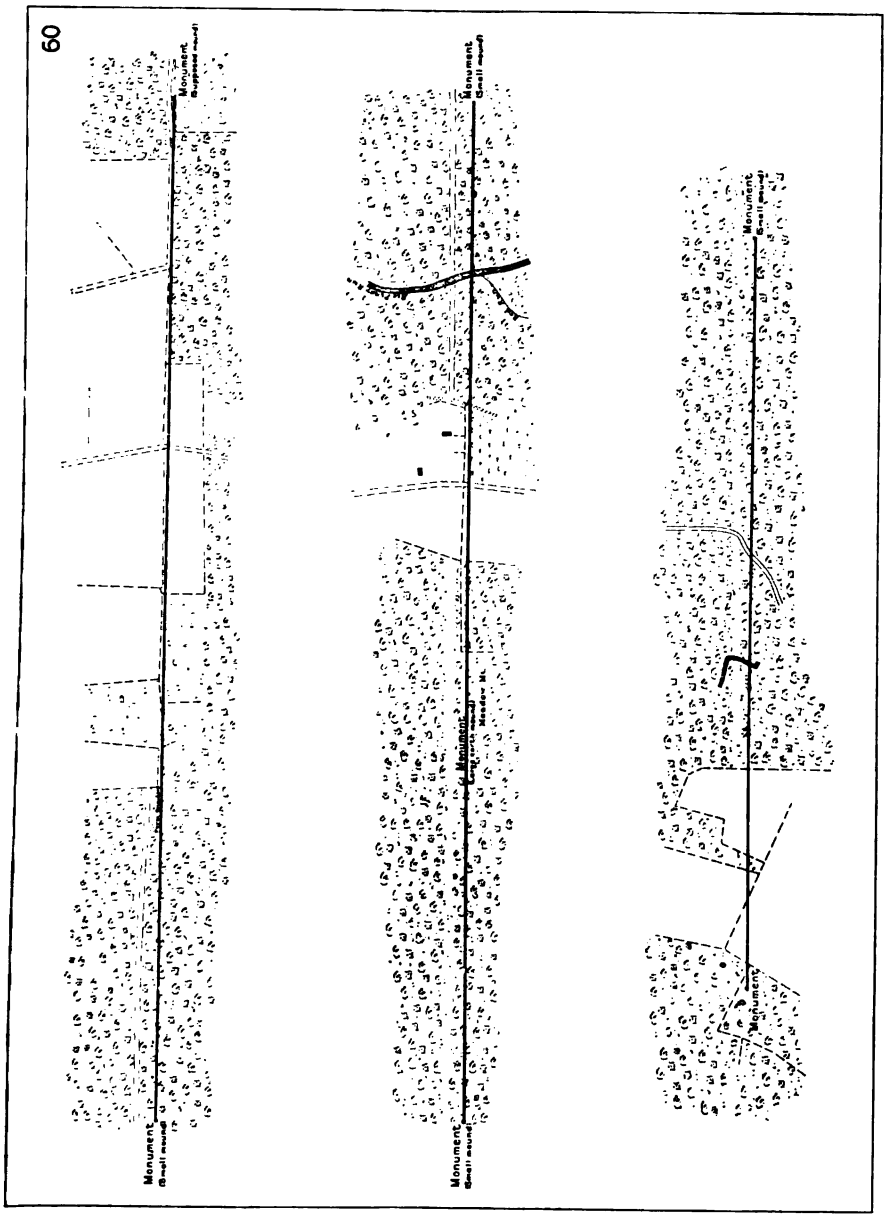
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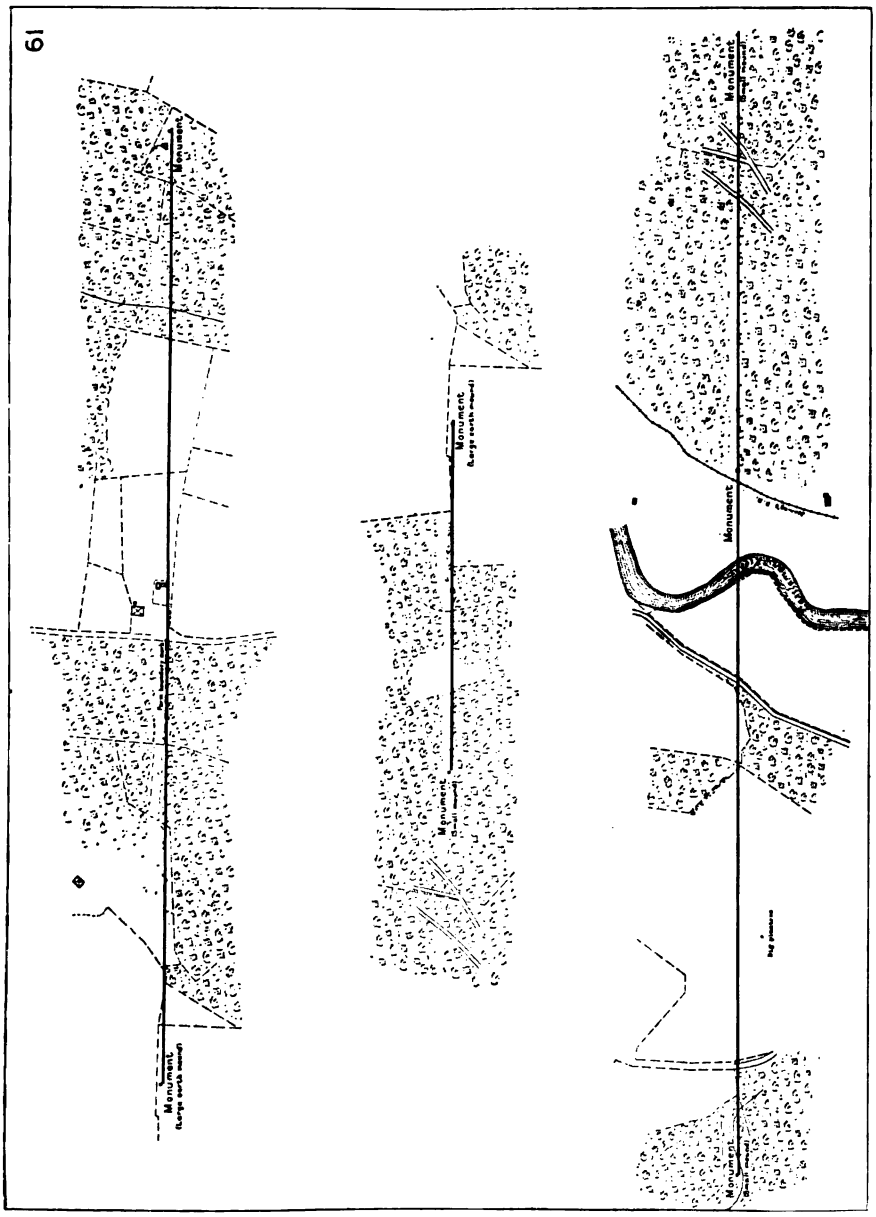
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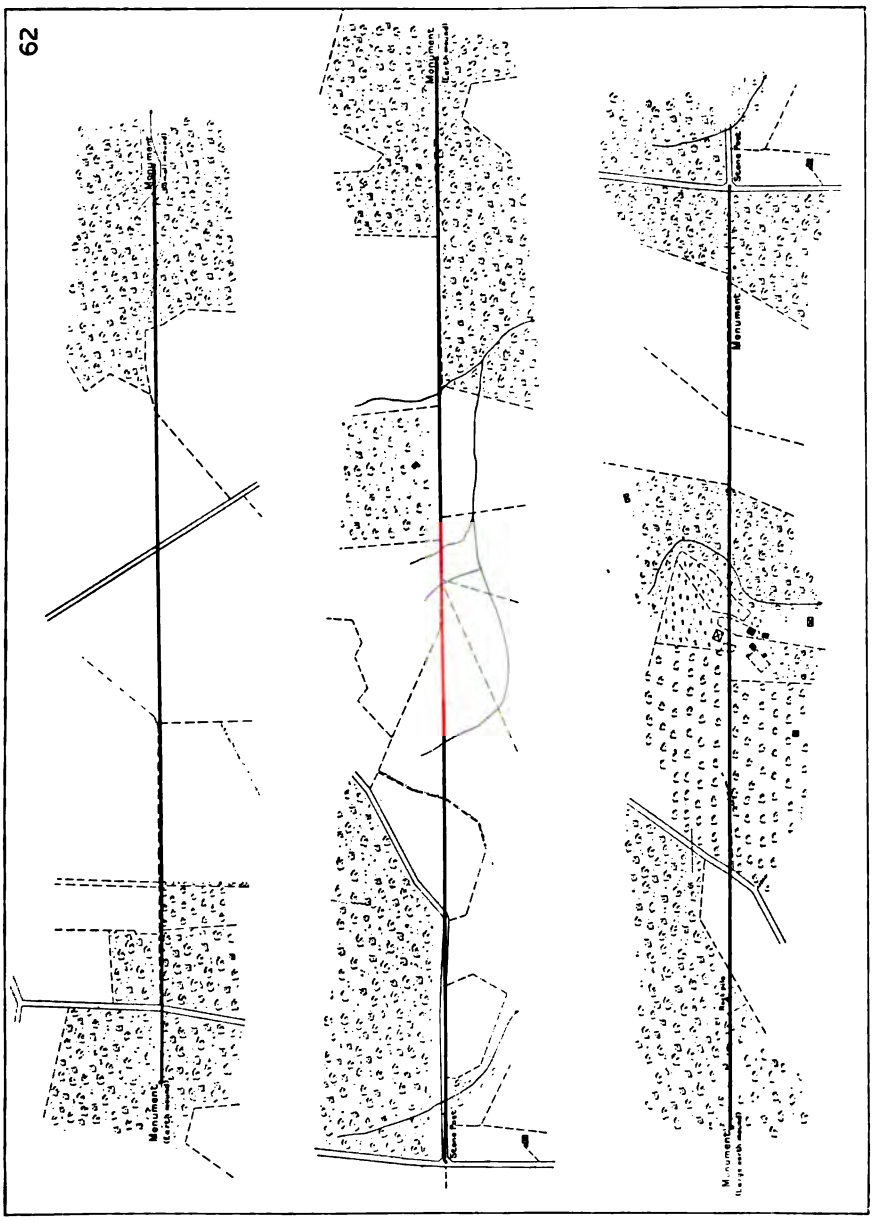
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Stone Post
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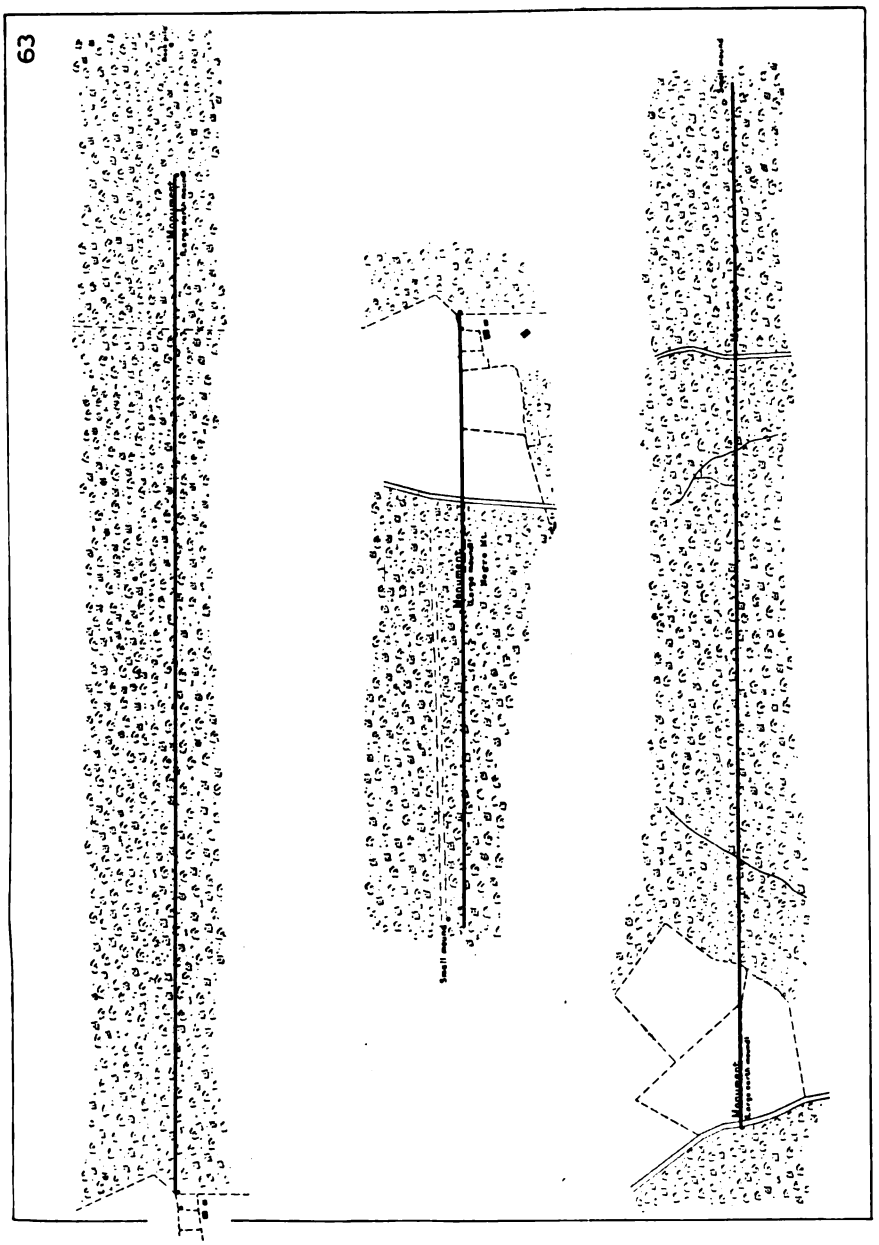
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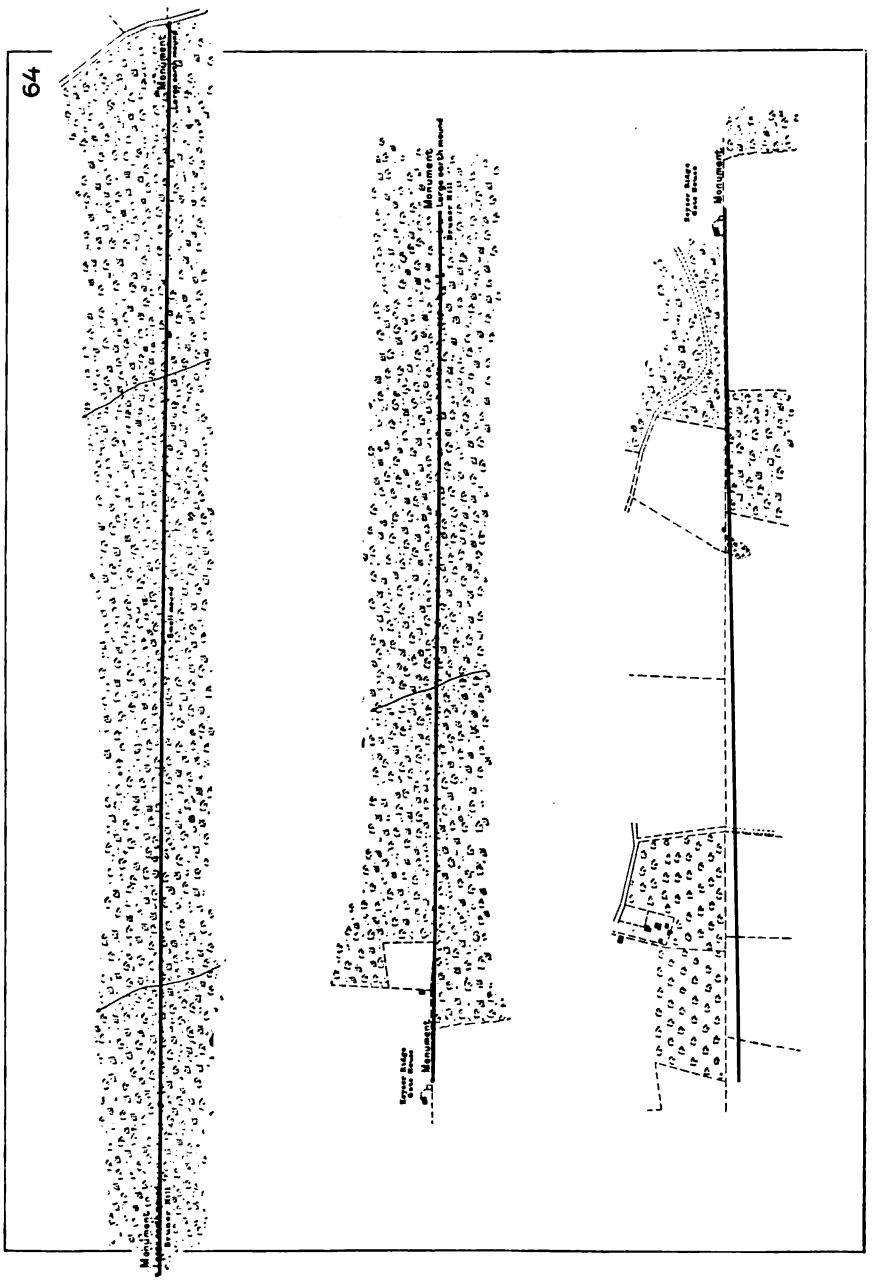
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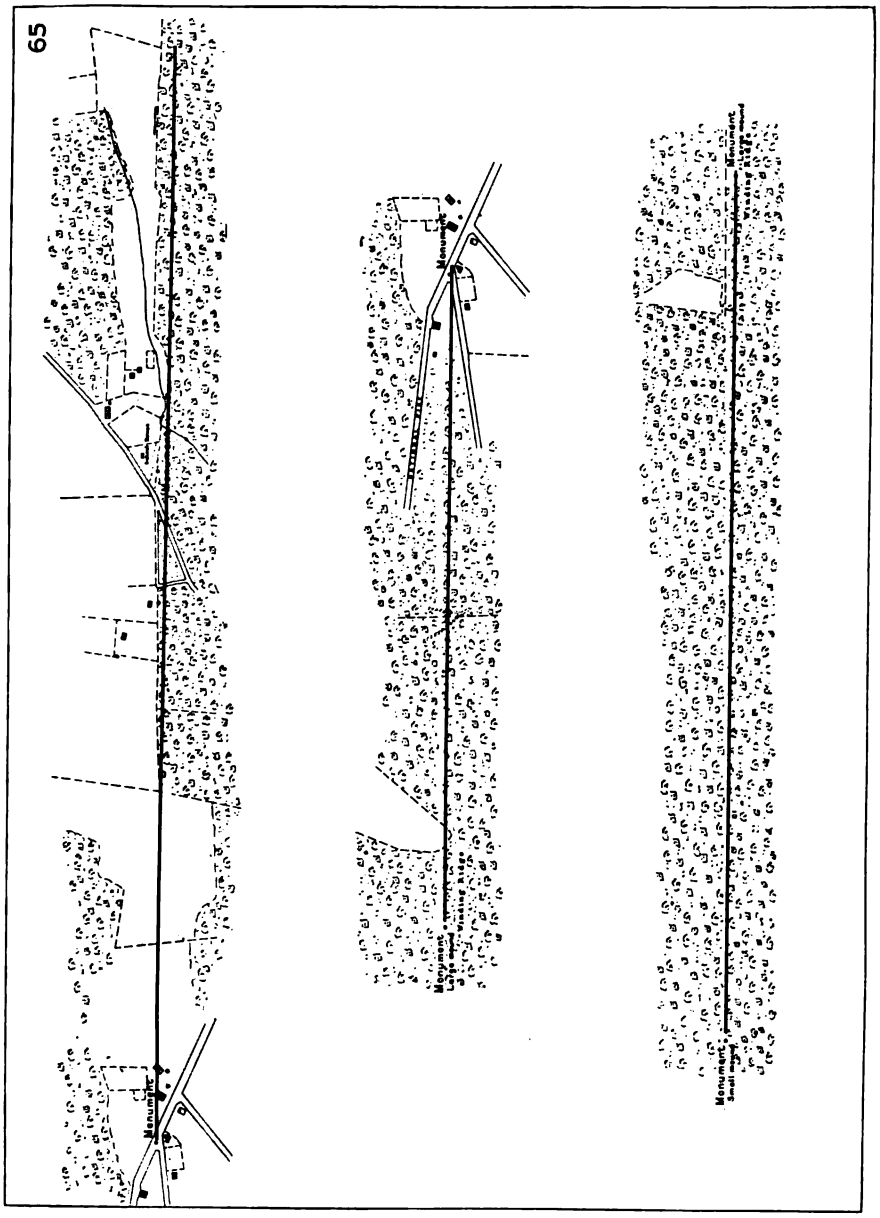
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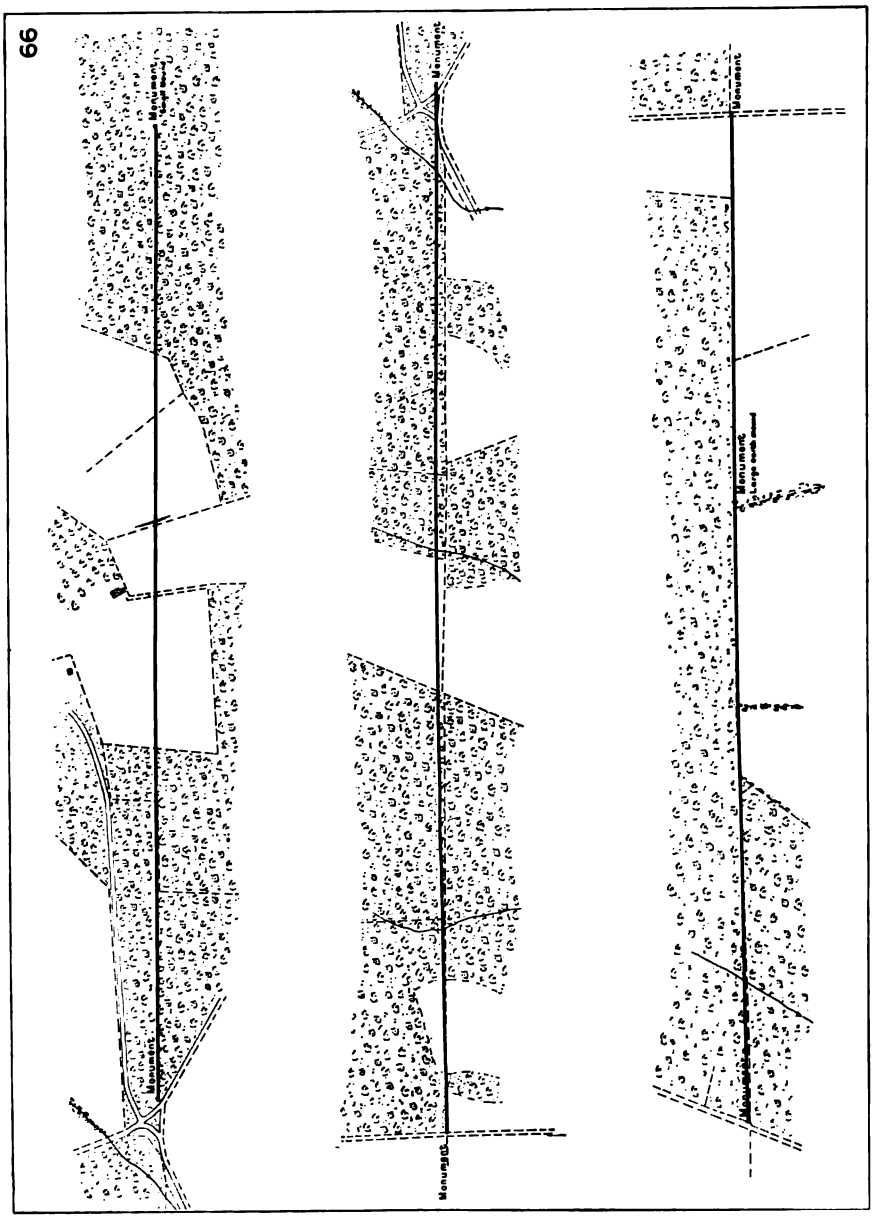
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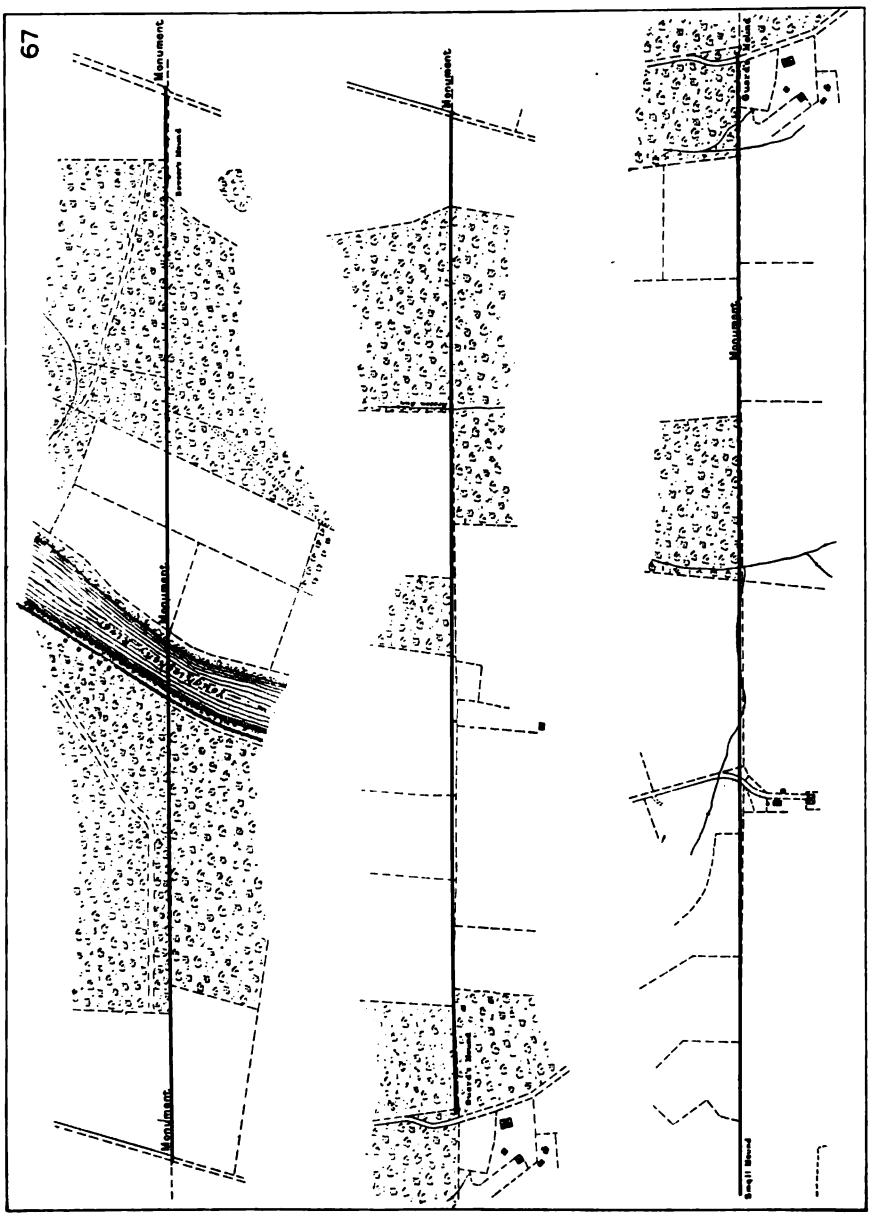
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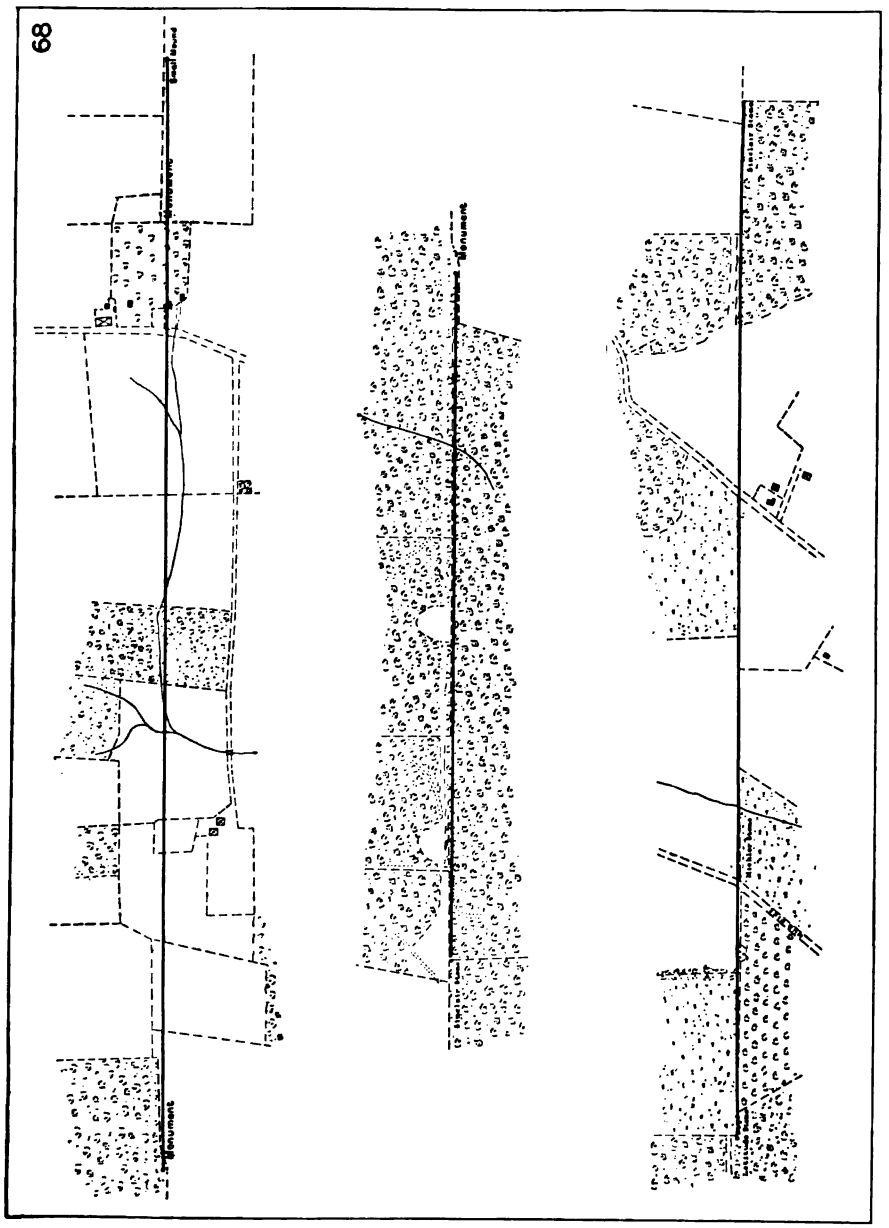
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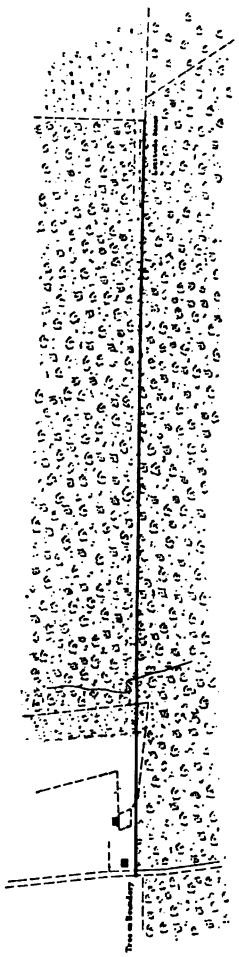

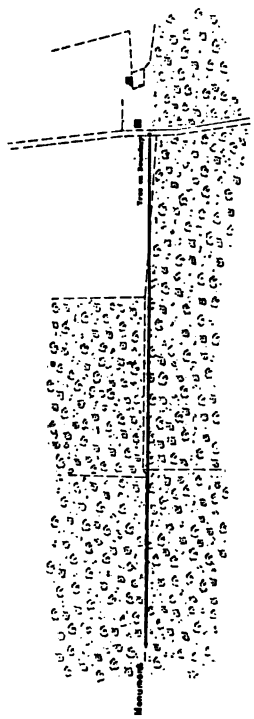

PART III

HISTORY OF THE BOUNDARY DISPUTE BETWEEN THE BALTIMORES AND PENNS RESULTING IN THE ORIGINAL MASON AND DIXON LINE.

BY

EDWARD BENNETT MATHEWS

HISTORY OF THE BOUNDARY DISPUTE BETWEEN THE BALTIMORES AND PENNS RESULTING IN THE ORIGINAL MASON AND DIXON LINE.

BY

EDWARD BENNETT MATHEWS.*

INTRODUCTORY.

The questions of title and proprietorship to the borderland of Maryland and Pennsylvania were settled to the apparent satisfaction of the original owners by the running of the original Mason and Dixon Line but the controversies regarding the justice of the final decision are still revived, at least in academic circles, and citizens of Pennsylvania and Maryland now and then show in discussion something of the warmth which led their ancestors to more violent deeds. This survival of local feeling makes the unbiased discussion of the historic problems appear tame or insufficient to the partisans on either side. The exhaustive study, however, which has been involved in the preparation of these pages has clearly shown that neither side has been entirely free from sharp practices and that each contestant had sufficient grounds to make the solution of the question of boundaries appear simple and favorable to himself.

The problem of determining the relative correctness of the conflicting views is by no means a simple one. Its subsidiary questions involve the relative rights of European nations to the American continent, the functional scope of different parts of the British Government in the seventeenth century and many points of history from the early voyages of discovery in the fifteenth century to the beginning of the discontent which culminated in the American Revolution.

*The author was greatly assisted by the notes of Mr. Burchard, who generously placed all the information gathered by him in the preparation of the Bibliography at the disposal of the writer.

Before discussing in detail the various points involved a summary statement of the salient points of the ancient controversy is given to facilitate the uninitiated in following the tangled web of claims and counter-claims put forward by the contestants during the decades of attempts to reach a mutually satisfactory settlement.

Every student of American history readily recalls the facts that by right of discovery North America was parcelled out to the Spanish, English, and French, and that the Dutch settled on the English territory, claiming a right to do so from the so-called discoveries of Henry Hudson. The Spanish explored the southern coast northward to the vicinity of New York, the English the northeastern coast as far south as the mouth of the Chesapeake, while the French explored the interior which they gained by ascending the St. Lawrence. The explorations of the English preceded the more northerly voyages of the Spanish whose territorial possessions were kept below the present state of Georgia.

The claims of the English to the sea-coast between Nova Scotia and Cape Fear were based on the voyages of the Cabots in 1497-8. The territory, lying between latitudes 34° and 45°, was known originally as Virginia and was granted in two parts to the London and Plymouth and Exeter companies, the dividing line being the 40th degree of latitude. Later in 1624 the Crown reclaimed the territory assigned to the London Company, that is from 34° to 40° north latitude, and regranted a northern portion to Lord Baltimore in 1632 and a southern portion to the Earl of Clarendon in 1663. In the meantime the Swedes and Dutch had settled along the Delaware and Hudson rivers. The Dutch were originally regarded by the English as squatters, and finally the latter successfully asserted their claim in 1664, and their whole territory was granted to the Duke of York who later became King James II. He in turn granted, sold or leased the territory of New Jersey to Berkeley and Carteret in 1664, and that of Pennsylvania and Delaware to William Penn in 1681 and 1682. The Pennsylvania territory had originally been granted to the Plymouth Company in 1606 and later to the Plymouth Council for New England in 1620 but had never been settled by them. The Delaware territory was originally granted to

Lord Baltimore in 1632 but small settlements of Swedes and Dutch gained possession of the land before Maryland had grown large enough to need it.

The gradual occupation of all the territory brought up the question of boundaries and compelled a careful consideration of the rights of the Swedes to Wilmington, the Dutch to the Delaware, the Duke of York to the territory, previously granted by his father Charles I to Lord Baltimore, and the subsequent rights of William Penn to the same territory. The final decisions were made without sufficient regard to the actual facts of the case, many of them having been overlooked and only subsequently brought to light, and were the results of numerous compromises by the proprietors in their attempts to reach amicable adjustments of their claims. The carrying out of the final decrees involved the interpretation of many obscure points regarding localities named, methods of surveying proposed, and the meaning of terms employed in the agreements.

Each contestant used all legitimate, and occasionally rather questionable, methods to maintain the integrity of what was supposed to be his own. The Penns usually emphasized the supposed intent of the grantor while the Baltimores leaned on the letter of the patent as modified by later knowledge. The final decision of Lord Hardwicke was based not on the questions usually considered, such as the rights conveyed by the grants of Charles I to Baltimore, and of Charles II and James II to Penn, but upon whether the Baltimores should be compelled to carry out the terms of their agreements of 1724 and 1732. The major question, so far as it was ever decided, was passed upon in 1685 by the Privy Council of James II soon after his ascension, when the decision was favorable to the King and William Penn. Whatever of debatable character was left to Baltimore at this time was yielded in the Agreement of 1732. The properties at stake in this controversy were large, involving as they did title to Delaware and a strip over 15 miles wide along the northern border of Maryland, including the sites of Philadelphia, Chester, West Chester, York, Hanover, Gettysburg, Waynesboro, Chambersburg, and Myersdale. With so much at stake on the part of the Proprietors and with all of the holdings of many of their

respective adherents, it is not surprising that the statements made in the heat of the controversy should be extreme and often acrimonious, or unwarranted by the facts. These statements have often been quoted by subsequent apologists in support of their respective claims and have been given more weight than they actually deserve.

In the following pages the attempt is made to present an impartial statement of the facts as they are now known and in the exhaustive bibliography which follows are given all the documents and authorities dealing with this classic dispute. Many additional incidents of "local color" may be gained from the brief abstracts in the bibliography.

The Charter of Maryland.

The circumstances leading to the granting of a charter to the territory of Maryland by Charles I were the result of several incidents in the life of Sir George Calvert, the first Lord Baltimore, who first obtained office in Ireland a few years after the accession of James I. Because of his ability and character he rose rapidly in power and in the esteem of his King until he was appointed Secretary of State in 1618 and created Baron in 1625. During the year preceding his elevation to a barony, because of a change in religious beliefs which rendered him somewhat less popular in Court circles, Sir George Calvert resigned the secretaryship and turned his attention toward the establishment of a colony in America. The first Lord Baltimore's interest in colonial affairs and his knowledge of their conditions was manifest as early as 1609, when his name is found as a member of the Virginia Company of Planters who were interested in the Jamestown settlement. He was still a member ten years later and upon the issuance of the *quo warranto* proclamation which made Virginia a royal province, he became a member of the provincial council in England. As early as 1620 Sir George Calvert became personally interested, by purchase, in a portion of Newfoundland, where he subsequently expended considerable money in an attempt to establish a colony to which he received a patent from the King dated April 7, 1623. It is of interest to note that this patent, issued a decade before that of Maryland, contains in its preamble a phraseology similar to that of the later document and especially the clause "not yet hus-

banded or planted," which became of so much importance in the disputes regarding the settlements along the Delaware.

The spot chosen by Sir George Calvert was not suitable for successful colonization because of the inclemency of the climate and the shortness of the summer. He accordingly became discouraged, and after a visit to Virginia asked the King for land in Virginia not already granted. At first Lord Baltimore applied for territory "lying to the southward of James River in Virginia, between that river and the bounds of Carolana," or what is now the southern portion of Virginia and the contiguous areas of North Carolina. Finding that the Virginia Planters were opposed to the establishment of another colony so near them, and wishing to avoid any difficulty with the old Company which had been reorganized in 1624, his lordship asked His Majesty to grant him in lieu thereof some part of the continent to the northward. This request was granted, and, according to report, Lord Baltimore drew up his new charter himself, following closely that which James I had given to him for Avalon. The grant passed the Privy Seal but objections on the part of the old Virginia Company caused a delay in its passage of the Great Seal until after the death of Lord Baltimore, which occurred April 15, 1632.

On the death of Lord Baltimore his eldest son, Cecil Calvert, became second Lord Baltimore, and to him, as the heir of his father, was finally issued on 20 June, 1632, a charter for Maryland. This remarkable instrument contained many liberal and unusual privileges, and suggests many interesting points respecting the contemporaneous views regarding proprietary rights. The portions which figure in the subsequent discussions regarding the territorial rights are confined to the first three paragraphs which have been published in greater or less detail in almost every discussion dealing with the Mason and Dixon line controversy. These are practically the same in the charters for Maryland and for Avalon, with the exception of parts of the second sections relating directly to the description of the territory granted. One cannot read the two instruments without recognizing their practical identity and realizing that slight differences in phraseology, such as the *hactenus inculta* clause, were not inserted with any specific intent to protect the Dutch along the west shore of Delaware River.

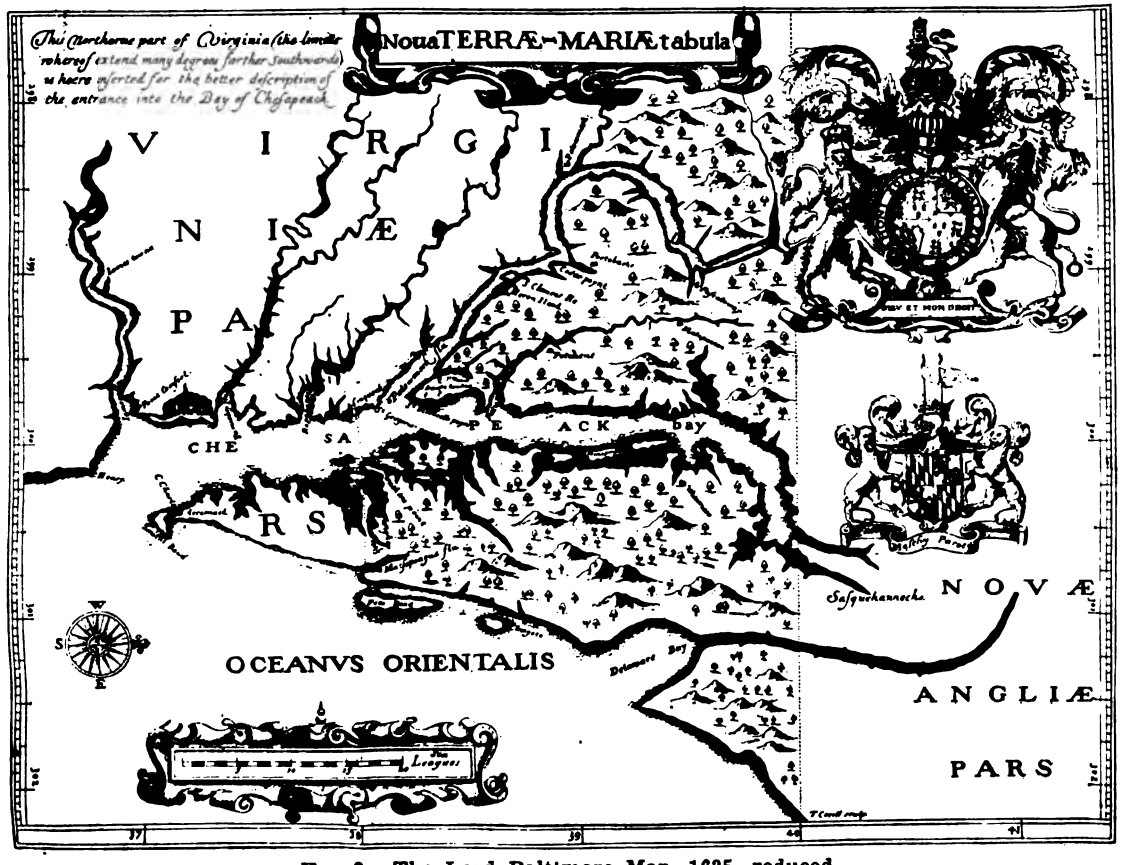

FIG. 3. The Lord Baltimore Map, 1635, reduced.
Shows relation of 40° N. Lat. and Chesapeake Bay as held in 1635 by Lord Baltimore.

It was natural that the scattered colonists of Virginia should object to the establishment of a new colony, that of Roman Catholics, so near to them. One may, indeed, find on record a petition of the Planters of Virginia against the grant to Lord Baltimore. This was considered and finally discharged by an Order of Council during the latter part of June, or July, 1633. Still more serious resistance was offered to the development of Lord Baltimore's province by William Claiborne and his followers who had established trading posts at Kent Island and at Palmer's Island (near Havre de Grace) prior to the landing of Governor Leonard Calvert in the spring of 1634. Claiborne's petition of 26 February, 1637-8, complaining of Baltimore's alleged encroachments was referred to the Privy Council and led to an order issued by that body, or one of its committees, dated 4 April, 1638, favoring Baltimore's claims. This was subsequently used in the petition of August 1734 and in the report of the Board of Trade of February 1734/5 and presented by Lord Baltimore as an original document in the Penn-Baltimore lawsuits. (See subsequent discussions, pp. 170, 173, 306.)

SETTLEMENTS UNDER THE CHARTER.

The Maryland colonists under Leonard Calvert arrived in the Chesapeake in the early spring of 1634 and chose for the site of their first settlements the shores of the Potomac River, taking possession of St. Mary's on the 27 March, 1634. From this central point the settlers gradually worked their way up the Potomac and Patuxent rivers, and along the western shore of Chesapeake Bay. The attempts to cultivate on the Eastern Shore were at first very limited. After the decision of 1638 a sheriff was appointed for Kent Island where there had grown up a small settlement. It was not, however, until the sixth and seventh decades of the seventeenth century, after a treaty with the Indians in 1652, that the settlers were sufficiently scattered to require the establishment of county courts in more than two or three instances. Moreover, the ease of communication along the Chesapeake and its estuaries determined the settlement of most of the newcomers on lands bordering either side of the Chesapeake Bay. For this reason little was done in the way of settlements along

the shores of Delaware Bay which had been granted to Lord Baltimore as part of the Maryland territory. This lack of activity in settlement along the eastern limits of Lord Baltimore's grant was fatal to his interests in that region, as the Dutch and Swedes, whose sovereign governments had gained no territorial rights by the discoveries made during the first quarter of the sixteenth century, seized upon this river as a favorable spot for establishing colonies of their own.

Settlements on the Delaware.

The title to lands in America among the early settlers was usually based on the rights accruing to the Crown through discovery, which passed either directly, or through some company or proprietary, to the possessor. At times, however, the title was derived by purchase, or otherwise, from the original Indian owners, passing thence directly or indirectly to the possessor of the land. According to the view of Chief Justice Marshall, as given in one of his decisions relating to lands in the middle West, the somewhat predatory title of the discoverer is held to take precedence over that of purchase from the Indian. In the early part of the seventeenth century it was quite natural for the English and Spanish, who held all the rights of discovery, to regard the Indian titles as of little or no account; while the other continental powers were equally inclined to act upon the assumption that Indian titles were sufficient claims to territory in which they had the established settlements. The practical outcome of such differences in views regarding the origin of land titles is well illustrated in the various incidents relating to the settlements of the English, Swedes, and Dutch along the Delaware River. The English claimed control of this territory on the grounds that Cabot had skirted the coast in 1497; the Dutch claimed the right of settlement under the voyages of Henry Hudson, an Englishman who, under the auspices of the Dutch East India Company, entered Delaware Bay, and subsequently explored the Hudson River in 1609. The Dutch, moreover, fortified their claims by the purchase from the Indians, made by Godin and Bloommaert, of land on the south side of Delaware River from Cape Henlopen to the southward. The Swedish settlers entered upon the territory about Christina (now

Wilmington) having no claim whatever under any recognized international law.

DUTCH SETTLEMENTS.

Prior to the beginning of the seventeenth century the Hollanders had been too much engrossed with their conflicts with Spain to have any energy left to explore the American continent. It is claimed, however, though the claim is not well established, that the Greenland Company, organized about 1596, made a voyage to the North [Hudson] and South [Delaware] rivers in 1596 and that these voyages were in the nature of discoveries of unknown lands. A decade later Henry Hudson, an Englishman under the auspices of the Amsterdam Chamber of the Dutch East India Company, sailed from Amsterdam in his ship the Half Moon on April 4, 1609. On the 12th of August in the same year he was off the Chesapeake, and on the 28th of the same month he entered Delaware Bay. Here he found the navigation difficult, and sailed northward, entering the river which bears his name on the 4th of September, remaining there until the 4th of the succeeding month. The explorations made by Hudson have always been claimed by the Dutch as discoveries. They have argued that this portion of the Atlantic coast was unknown until his voyage was made. A study, however, of the better maps of the period shows that something was already known of the existence of Delaware Bay, and also of the Hudson itself, and that Captain Hudson was himself familiar with the main facts. It is, moreover, very evident from the diplomatic correspondence between England and the States General of Holland that the English never recognized any basis for the Dutch claims. Writing from Holland February 5, 1621/2, the English minister to the Hague, after making inquiries of various Amsterdam merchants, the Prince of Orange, and some of the delegates to the States General, said: "I cannot learne of anie Colonie eyther already planted there by these people, or so much as intended, etc." This letter probably passed through Lord Baltimore's hands as he was Secretary of State at the time. Seven years earlier than this, in 1614, deputies from the United Companies had requested from their government the right to trade for three years (1615-1618) between 40° and 45° on the grounds of discovery, which

request was granted by the Nineteen on the 11th of October, 1614. Even on the 28th of September, 1621, the same year that the British minister had received the disclaimers of the Dutch officials, the States General granted the right to trade and *settle* on account of discovery between 38° and 45°.

It is also interesting to note in this connection the position of Charles I, the grantor of Lord Baltimore's charter, concerning the rights of the Dutch to lands along the Delaware the very year that the Maryland charter was granted. A Dutch vessel returning from Virginia touched at Plymouth and was seized by the English for unlawfully trading in English territory. Thereupon the Dutch ambassadors in England filed a protest claiming that the vessel had a right to trade in Virginia on account of the Articles of the Fifteen Years Union and the concessions of freedom granted to the West India Company. Moreover it was claimed that, as the English had no posts between New England and Virginia, the Dutch had a perfect right there. Charles I replied that on the complaint of his father, James I, in 1621 their High Mightinesses had repudiated any claims to American settlement and had interdicted the Dutch from trading in those parts. From the position thus taken the inference that the clause "hitherto uncultivated" in the preamble of the Maryland charter was inserted to protect the Dutch rights is extreme. This view, however, was brought forward successfully by the Penns in the hearings of 1683-85, and occasionally in the documents of the famous Chancery suit a half century later.

It is likewise interesting in this connection to recall the words of James II, who, as the Duke of York, received the Dutch possessions in America and granted the Delaware portion of the same to William Penn, as he writes in his secret autobiography: "The Dutch, during the Civil wars in England, had encroached on the English trade;.... Sometime after, the king gave the duke a patent for Long Island, in the West Indies, and a tract of Land between New England and Maryland, which always belonged to the crown of England, since first discovered; and upon which the Dutch had encroached during the rebellion."

The activity of the Dutch, and the unfortunate attempts at colonization of the English along the New England coast, stimulated the settlement of the territory north of Virginia by the Hollanders who had already established trading posts on the island of Manhattan in 1614, and built a small boat near the mouth of Long Island Sound the same year, the latter forming one of the fleet which in 1616 was used by Hendrickson to explore the Delaware River as far up as the present site of Philadelphia. Between 1616 and 1620 there were many minor conflicts between rival Dutch claimants to lands in America in their attempts to gain from the States General either a monopoly of the trade, or the control of the territory. These were finally settled in 1621 by the establishment of the Dutch West India Company to which was given the right to trade between the latitudes 38° and 45°, or between New France and Virginia. Representatives of the Company under the command of Cornelius Mey built Fort Nassau, about 4 miles below Philadelphia, on the New Jersey side, in 1623/4. For a few years the trade was good but by 1628 it was deemed prudent to abandon the few stations on the South or Delaware River and the colonists were accordingly removed to the more successful settlement at the mouth of the Hudson.

In 1629 Samuel Godin and Samuel Bloommaert obtained a grant of land from the Assembly of Nineteen on the west side of the Delaware River, which extended northward about thirty-two miles from Cape Henlopen. Title of the land was also obtained by purchase from the Indians. After many mishaps a small colony under Peter Heyes reached the Delaware in April, 1631 and a settlement was made on the Whorekill, now Lewes Creek, in Sussex County, which received the name of Swaanendael. This settlement was unsuccessful and the inhabitants were all massacred by the Indians and the colony destroyed the same year. A second attempt, however, was made in 1632 by De Vries who arrived at the South or Delaware River on the 5th of December, 1632. After regaining the good will of the Indians, and making a visit to Virginia, where Governor Harvey denied the rights of the Dutch to make settlement on the Delaware, the region was again abandoned because of an unprofitable season in fishing and whaling. Thus at the very time when the

Maryland grant was issued, and a little later, when the first settlers landed on Maryland soil, there were no European colonists on the shores of the Delaware.

SWEDISH SETTLEMENTS.

The growing stability and increasing strength of the English, French, and Dutch colonies in America stimulated Sweden towards gaining a share in the New World by the establishment of colonies there. There was no part of the American coast claimed by the Swedes by right of discovery, but that did not deter their King, Gustavus Adolphus, from issuing charters to the Australian and Ship Companies for the purpose of stimulating colonization. These two companies united in 1630 to form the South Company. Campanarius, a grandson of one of the early Swedish settlers, writing nearly a century later, claimed that Charles I of England had renounced all title to the territory of New Sweden, and that this article of cession was among the documents destroyed by the fire in the Royal Archives in Stockholm in 1697 but Sprinchorn in 1878 was unable to find any evidence of this in the public papers, although the statement is made in more than one contemporaneous writing. There are, moreover, no evidences of such a grant known among the English papers. The title of the Swedes, therefore, rests on Indian titles and on possession of unoccupied territory claimed by both the Dutch and the English.

Campanarius is also responsible for the incorrect statement that the Swedes settled on the Delaware as early as 1631. In this error he has been followed by such later historians and annalists as Cronholm, Sprinchorn, Smith, Proud, Holmes and Du Ponceau.

The first of the ten expeditions from Sweden to the Delaware region landed at Paradise Point, near the mouth of Murderkill Creek, about 10 miles southeast of Dover, Delaware, in March, 1637/8. On the 29th of the same month their leader, Peter Minnet purchased from the Five Chiefs of the Minquas the territory on the west shore of the Delaware from Borntiens Udden (mouth of Duck Creek near Bombay Hook), northward to the Schuylkill, no limits being assigned towards the interior.

Before July Minuet had sent one of his sloops to the English in Virginia, and to the Dutch at Fort Nassau, and by representatives of both countries had been regarded as an interloper without territorial rights. On his departure he left in the new settlement only 23 men. These were re-inforced by immigrants from the expeditions in 1640, 1641, 1643, 1644, 1646, 1647, 1653, and 1656. At no time during the period of Swedish ascendency does the colony appear to have numbered more than 200 souls.

At first the relations between the Swedes and the Dutch were outwardly friendly, probably on account of the number of Hollanders interested in the expeditions of 1638 and 1640. The natural jealousies, stimulated by the struggles between the Dutch Commissary Hudde and the Swedish Governor Printz for control of the trade of the Delaware, resulted finally in an open break in 1646. These outbreaks culminated, after the arrival of Governor Stuyvesant at Manhattan in 1647, in his attack on the Swedes along the Delaware in 1651. At that time the Dutch erected Fort Casimir at Newcastle and finally abandoned old Fort Nassau which had been established in 1623, prior to the arrival of the Swedes. Two years later, in 1653, the Swedes, under the leadership of Governor Rising, captured Fort Casimir and so enraged the Dutch of New Netherlands that they attacked the Swedes in force in 1655. The former recaptured Fort Casimir and attacked the principal settlement of the Swedes at Fort Christina which was besieged and captured in September, 1655. This marked the end of the colonization of New Sweden under the authority of Sweden. Later unsuccessful attempts were made by the home government to gain damages from the Dutch and English governments. The Swedish settlers ultimately become merged with those of English and Dutch descent.

The First Conflict.

The subjugation of the Swedes by the Dutch centralized the interest in the possession of the Delaware and the Dutch grew apprehensive lest the English should successfully lay claim to the territory. The council of New Amstel in June, 1659, desired to communicate with Governor Fendall, but so little was the intercourse between

neighboring settlements that the councillors were ignorant of his name and address and were forced to send their messengers to Colonel Utie. Soon after, the Colonel received orders from the Maryland Council, dated August 3, 1659, by which he was to "repair to the pretended governor of a people seated in Delaware Bay, within his lordship's province, without notice given to his lordship's lieutenant here, and to require them to depart the province." Governor Fendall at the same time wrote to "the commander of the people in Delaware Bay," evidently in ignorance of Governor Alrick's name, to the effect that he could by no means own, or acknowledge, any other for governor over the territory lying between 38° and 40° north latitude, and threatened to use his utmost endeavor to reduce them all to due obedience. Colonel Utie took advantage of his instructions and left a great impression upon the local inhabitants, telling them to declare themselves subjects of Lord Baltimore, and warning them that if they hesitated he would not be responsible for the innocent blood which might be shed. Upon receipt of Colonel Utie's communications protests were filed by the local governor and council who regarded themselves powerless and in duty bound to refer the case to Governor Stuyvesant. This doughty warrior replied at once, censuring the governor for his subjection to Colonel Utie and appointing a trusty commander for the re-inforcements of the militia on South [Delaware] River. A week later Augustine Herrman and Resolved Waldron, representing Governor Stuyvesant, started on an embassage to the government of Maryland to demand reparation for Colonel Utie's actions and the return of such colonists as had fled in fear to the Maryland government.

The ambassadors, after a somewhat troublesome trip through the woods of the Eastern Shore and down the Bay in a leaky boat, arrived at Patuxent on October 6. On the following day they entered into diplomatic correspondence, which resulted in a meeting on the 16th with Governor Fendall, Secretary Calvert, and others. At a private interview later with the Governor, Lord Baltimore's patent was shown the ambassadors, who were allowed to make extracts from it. When, however, Governor Fendall requested them to produce their charter they declined to do so, but promised to show

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MANN
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WONS
Cape Henry
Cape Charles
KVSKARA
THE
VIRGINIAN SEA
37
38

SMITH'S MAP

RGINIA
Massaw omecks
Signification of these markes.
Kings howses
Ordinary howses
The Salvages
thus attyred
Leagues

8 (Reduced).

it at a future meeting. Conferences continued until the 20th of the month, when Herrman started for Virginia, and Waldron returned to the Dutch on the Delaware.

Among the propositions presented by these ambassadors was one suggesting that a commission of six, three from each side, meet at some point midway between the Chesapeake and the Delaware, near the head of the Sassafras River, and there settle the bounds and limits between Maryland and the New Netherlands. Each side claimed complete title to the territory which they possessed, Lord Baltimore claiming his from the English crown, the Dutch by their grant from the States General of the United Provinces. The English claim was then based upon the discoveries of Sir Walter Raleigh, while the Dutch fortified the right of granting by the States General on the ground that they had received territorial rights in America from the Spanish. The ambassadors also emphasized the peculiar clause in the original grant to the Virginia Company by which the settlements made by the Southern, or London Company, and the northern, or Plymouth and Exeter Company, were not to be made within one hundred miles of any prior settlement of the other. According to the Dutch ambassadors this meant that there lay between these areas an unclaimed territory to which they were entitled by the supposed discoveries of Hudson, Indian purchases, and rights by discovery inherited from the Spanish.

All of these arguments appear time and again in subsequent discussions as the followers of Penn endeavored to gain the title to the lands along the west bank of the Delaware; but the most important and most fatal exception filed against Lord Baltimore's claim by the Dutch ambassadors was that which cited the clause *hactenus inculta,* part of the preamble of the Maryland charter. Ambassador Herrman quickly saw the possibilities lying in this clause, and immediately suggested at his conference with the Governor that this must have been introduced to protect the rights of the few Dutch and Swedish colonists who had settled along the Delaware. Neither side recalled the demands of the English and the disclaimers of the Dutch in 1621, or the complaints of the Dutch and the firm position of Charles I in 1632, when the English at Plymouth seized a Dutch

trader returning from Virginia. Even Charles, nephew of Cecil, Lord Baltimore, who appears to have been in America at this time, seems to have lost sight of the constantly recurring clause found in Lord Baltimore's charter of Avalon, his petition for a grant farther south, and in his earlier charter to a portion of the Virginia territory. At least no records have come down to us showing that these were produced in opposition to the position assumed by the ambassadors.

The presence of the Dutch ambassadors before the governor and council of Maryland, with their serious attack upon the integrity of Lord Baltimore's charter, quickly aroused to action all interested in his Lordship's claims. The Governor and Council immediately wrote to Stuyvesant claiming that Lord Baltimore was the sole and absolute lord and proprietary of the territory described in his charter of 1632, and protesting against the intrusion of the Dutch, or any others, within their bounds and confines. The equally serious attack on the claims of the Dutch was reported by Governor Stuyvesant to the Dutch West India Company, who replied to him on the 9th of March, 1660, that if the Marylanders made trouble they must be dislodged from the Delaware territory. Lord Baltimore on his return from London (July 24, 1660) instructed his agent, Captain James Neale, who was then in Holland, to protest and to demand the surrender of the land on the Delaware if the Dutch did not admit Lord Baltimore's right thereto. On the first of September following, the representatives of the Council of Nineteen had an interview with Captain Neale, asserted their right of possession under a grant from the States General and the peaceful possession undisturbed by any complaints by Lord Baltimore for a term of years.

In America the aroused activities of the Marylanders in southern Maryland caused the abandonment of the exposed settlement on the Whorekill, and the strengthening of the stronger base at New Amstel, or Newcastle. The persistence of the Dutch, on the other hand, stimulated the Marylanders to examine more carefully whether or not New Amstel lay to the north or south of their northern limit of 40°. The Dutch themselves, according to a deposition of Van Sweringen, secretary of the council, regarded the latitude 40° as lying

above the Schuylkill and consequently north of New Amstel (Newcastle).

Lest his charter might be wrongly interpreted on account of the presence of the Dutch along the Delaware Lord Baltimore petitioned for a confirmation of his charter, which was granted by Charles II in 1661.

The aggressive activity of the Dutch to extend the possessions of the Netherlanders at the expense of the English, was not limited to the banks of the Delaware. Similar struggles were taking place in the valley of the Connecticut where the conflict was even more intense. Charles II, with his natural distaste for the Dutch aroused by their aggressions upon his subjects in America and their struggle for commercial control, determined to test by force the Dutch claims to the choicest part of his possessions in the colonies. Accordingly on the 12th of March, 1663/4, he granted to his brother James, Duke of York and Albany, subsequently James II, all the land extending from the west bank of the Connecticut on the east, to the *eastern shore* of the Delaware on the west. The Duke of York, as Lord High Admiral, immediately made a naval attack to enforce his patent. On the 8th of September Fort Amsterdam surrendered and the town of New Amsterdam became New York. Toward the latter part of the month the same forces arrived before the fortifications at New Amstel, which was at length reduced, and the town rechristened Newcastle. These acts of hostility were always regarded by the Dutch as treacherous and discreditable to the English, so that although the treaty of Breda, entered into July 21, 1667, ceded their North American claims to England, they readily seized the opportunity of disturbances in England to retake New Netherland in 1673. Their success, however, was but as a flash in the pan, for without re-inforcements the New Netherlanders were obliged in February, 1674, to surrender to the English by the treaty of Westminster all territory held by England on May 10, 1667.

Lest the temporary successes of the Dutch might invalidate the title of James, Duke of York, and those who had received lands from him, Charles II on June 29, 1674, regranted the original territory to his brother, and on the last day of October of the same year

Colonel Edmund Andros received in person the surrender of the Dutch settlements in America, and became governor of New York.

The progress of events from 1660 to 1682 led to a curious and, for Lord Baltimore, a disastrous encroachment upon the Maryland rights. When in 1667 the Dutch ceded their possessions to the English, they either returned what they had never owned (a view in accord with the English claims of rights by discovery, through the Cabots, for all the territory between the St. Lawrence and the Savannah), or they conveyed to the English crown for the first time rights and titles to lands possessed by the Dutch at the time of cession. The latter form of the matter has never been urged with great force, but appears occasionally in the attempts to substantiate the claims of James, Duke of York, to the territory of Delaware River. The princely gift of his brother in 1662 conveyed to him land only to the east bank of the Delaware. The territory on the west bank, between parallels 38° and 40° either lay in the Dutch possessors or in the grant of Maryland to Lord Baltimore, according to the views held regarding the validity of the Dutch claims based upon Hudson's discoveries, and the intent of the *inculta* phrase in the Maryland charter.

It has already been shown that the English themselves held to the falsity of the Dutch claims for any territory by right of discovery, and one at this late date is forced to interpret the incidents from this viewpoint. This brings one to the position that all title which the English crown had to the west bank of the Delaware, within the proscribed limits, depends upon the limiting clause which was supposed to have been inserted by the English crown in favor of the few Dutch traders who had been massacred after a sojourn of a few months at Swaneendale. This, by the conquest of the Dutch, would have been given by inference to the foreign settlement and subsequently recovered by their cession in 1667.

Whatever the shade of view held may have been, the previous inactivity of Lord Baltimore's followers along the eastern side of his territory lost for him what is now Delaware. After the arrival of the Dutch embassy in 1659 a number of attempts were made to establish English settlements under Lord Baltimore's allegiance along

the seaboard side of Maryland. Instructions were given by Cecil, Lord Baltimore, to this effect in 1665, and these instructions were repeated with greater emphasis in 1669 when surveyors were instructed to survey all of the land mentioned in his patent along the seaboard side of Delaware, and inducements were offered for the settlement of this territory. Additional surveyors were appointed, new counties erected, and inducements for settlements were made retro-active, in the eager efforts of the Marylanders to assert their claims and forestall any further expansion of their neighbors. On the 26th of November, 1669, Jerome White, surveyor general of Maryland, after making surveys of part of this seaboard side, wrote

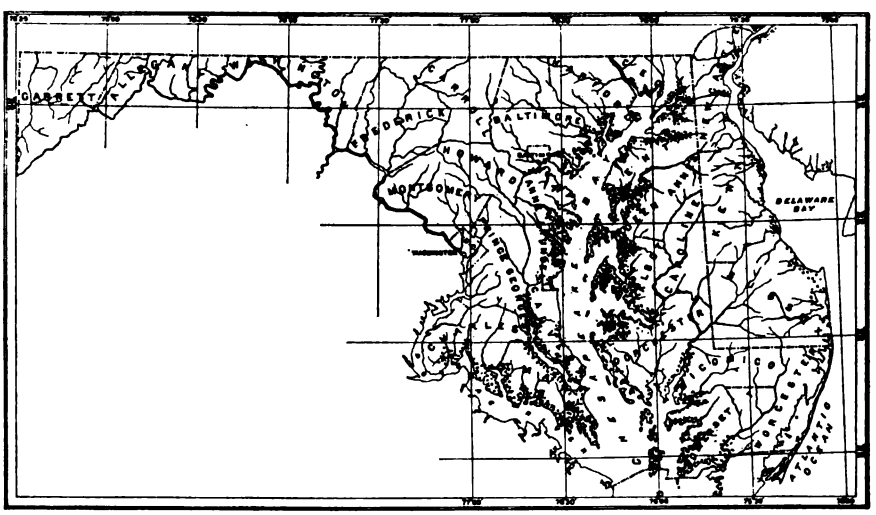


FIG. 4. Map showing extent of settlement when charter of Pennsylvania was granted. Settled areas shaded.

to Colonel Francis Lovelace, governor of New York, informing him that he had found Newcastle to lie at 39° 30″ north latitude, or 30″ south of the northern bounds laid down in the Maryland patent. He accordingly made the claim, in behalf of Lord Baltimore, to Newcastle and the adjacent territory from the bounds of Virginia to the 40th degree. Governor Lovelace, however, continued to grant deeds to land on the west side of the Delaware river, acting as agent of the Duke of York. According to a note found on a manuscript in

the Calvert Papers relating to the purchase of land along the Delaware River from the Indians, the New York authorities expected orders to surrender Newcastle town and the two settlements below the line of 40° to Maryland.

Advent of William Penn.

The subjugation of the Dutch and the final possession of the territory by the English led to the settlement of Englishmen along the coast of New Jersey, and the territory soon became a prosperous colony. On the west, along the Delaware River, the inhabitants were in large measure Quakers who had settled in the vicinity of Salem about 1675 when Lord Berkeley sold his half of New Jersey. A year later, through financial difficulties of the owner, the land was transferred to three trustees of whom the first was William Penn. For four years he was active in the settlements on the Jersey side, and became familiar with the territory, and interested in colonization, until in the spring of 1680 he decided to become a proprietor in his own right. He asked that in consideration of debts due to him, or his father, the Crown grant him letters patent for a tract of land in America lying north of Maryland. The petition was immediately referred, on the first of June, 1680, to the Committee of Trade and Plantations, who ordered on the 14th instant that copies of his petition be sent to Sir John Worden in behalf of his Royal Highness, and unto the agents of Lord Baltimore, to the end that they may report how far the pretentions of Mr. Penn may consist with the Boundaries of Maryland, or the Duke's propriety of New York and his possessions in those parts. Eleven days later the Council considered the letters from the representatives of the Duke and Lord Baltimore, and Mr. Penn at the time agreed that Susquehanna Fort should be the bounds of Lord Baltimore's province. Charles, Lord Baltimore, at the time was in America, while William Penn, in close touch with the powerful Duke of York, was present in person at the hearings of the Committee. Either through ignorance or intent, William Penn's charter omitted the clause about Susquehanna Fort and contained several clauses which were ambiguous, and opened the way for differences of interpretation as to their

meaning with respect to the limits of Maryland. The region under discussion was in great measure a wilderness, but through the energy of Lord Baltimore Augustine Herrman had prepared an excellent map of Maryland, and a copy of this, which had been printed and distributed in England in 1674, had been filed by Lord Baltimore with the Privy Council in March, 1678. The confirmation of Lord Baltimore's charter in 1661, just prior to the granting of lands to the Duke of York and the attack upon the Dutch, and the presence of Herrman's map in the archives of the Privy Council as a record of Lord Baltimore's boundaries, really left little honest grounds for ignorance. The territory about Newcastle reserved to the Duke of York, and subsequently acquired by William Penn from him, had always been claimed as English territory, both in the diplomatic correspondence of Charles II, and the private autobiography of the Duke of York, and had been shown by the observation of Jerome White in 1669 to be many miles south of the northern limits of Maryland. Moreover, the Duke of York had been granted only to the eastern shore of the Delaware. Since the conquest of the Dutch, however, the Duke of York's representatives, to the discomfort of the Marylanders, had maintained control over the area. It surely was not private policy for the members of the Privy Council to antagonize the heir apparent, who was so soon to become their king, especially as this gentleman was not over-careful in the means which he employed to accomplish his ends.

Lord Baltimore was notified of the granting of the Pennsylvania charter on the 2d of April, 1681, and it was then suggested to him that he appoint one or more to act with agents of William Penn in making "a true division and separation of the said Provinces of Maryland and Pennsylvania, according to the bounds and degree of Northern Latitude expressed in our said Letters Patents by settling and fixing certain Land Marks where they shall appear to border upon each other."

Conference Between Lord Baltimore and Governor Markham.

The orders received from the king by Lord Baltimore and Mr. Penn to the effect that they should immediately take steps to define the boundary between their properties were faithfully observed, at least so far as the inception of conferences leading toward the desired end. William Penn at once issued instructions to his kinsman, William Markham, and accompanied them with a letter of introduction to Lord Baltimore, which was to be presented upon Markham's arrival in America. Following out his instructions, the deputy governor (Markham) paid a visit to Lord Baltimore at his Patuxent home in August, (1681). While here Governor Markham was ill and for three weeks was carefully tended by Lord Baltimore and his attendants. The illness of one of the conferees forbade any satisfactory discussion of the work in hand, so that on his departure Governor Markham agreed to meet Lord Baltimore at Newcastle on the 16th of the October following; in the meantime he was to obtain from Colonel Morris of New York a satisfactory instrument for determining the latitude. On the 25th of September, Markham informed Lord Baltimore that he had been delayed on account of his journey up the Chesapeake, and asked for a postponement of the conference until the 26th of October. A few days later he sent word to Lord Baltimore that his illness would still further delay their joint work. The season was advancing, and Lord Baltimore on the 10th of October wrote to Governor Markham expressing his fear that the work could not be done then on account of the possible costs, but that he regarded the delay as due to Markham, rather than to himself.

There seems to have been a little misunderstanding, due doubtless to the length of time taken for the transmission of letters from the two settlements, and there was, apparently, the growing suspicion on both sides that the other contestant desired delay. The feeling of resentment was also more fully aroused by the unwarranted presumption on the part of William Penn when he wrote, on the 16th of September, to several of Lord Baltimore's most influential citizens in Cecil and Baltimore counties, assuring them that they were residents

of Pennsylvania, and that they should not pay taxes in Maryland. This letter was written before any conferences had taken place and at a time when the conferees were making their first attempts to get together. Its appearance among the Marylanders changed the entire aspect of the question, and aroused the suspicion that William Penn was willing to go to great lengths in order to increase his holdings in America. From the fall of 1681 begins the series of mutual recriminations which mark the entire boundary controversy, lasting for nearly a century, and evident even now among partisan members of the States of Maryland and Pennsylvania. From this point to the close, the records become partisan with skillful omissions of essential details, or artful warpings of the actual facts, which obscure the truth and relative culpability of the contestants.

With the opening of the spring of 1682 Markham wrote to Baltimore on the 17th of March suggesting a meeting. This letter was not answered until the 14th of May, and the answer was not received by Markham until the 22d of that month. Such delay seemed inexcusable to Markham and still further increased the feeling of ill will toward his southern neighbor. There were, however, good reasons why the letter had not been answered. Baltimore's hands had been full of domestic affairs at home. The Maryland Assembly had been in session, it was the time of the trial of Governor Fendall and his associates, there were open rumors of an armed attack by 300 to 500 men from Virginia, while the Marylanders along the northern border had been aroused to a state of insurrection by the ill-timed letter of William Penn. On the other hand, the arrival of Lord Baltimore's letter nominating the 10th of June, and Augustine Herrman's plantation, as the time and place, for the next conference, were equally inopportune for Governor Markham, who had negotiations with the Indians, a trip to New York, and the procuring of instruments to accomplish, before he could take up the matter of the boundaries. It is at this point that we have the first directly contradictory pair of statements by representatives of either side. In their respective statements Lord Baltimore states that Markham clearly and frankly said he would be at the conference, while Governor Markham says that he wrote Lord Baltimore that he could not be

present. The letter itself is no longer extant. Whatever its contents may have been, Lord Baltimore, unable to go himself on account of troubles with Virginia, sent a commission consisting of John Arnold and others to Augustine Herrman to meet Captain Markham or other commissioners for Pennsylvania. A letter to this effect, dated June 1, was sent to Governor Markham, and this in turn was followed by a letter dated the 5th of June, replying to that of Markham of the 26th ultimo, stating that the gentlemen had already been dispatched, and expressing an unwillingness to postpone further the matter. The Commissioners likewise wrote a letter to Governor Markham on June 10. The Governor at that time was absent in New York, and the letters which should have reached him one by one were received by him at the same time. He immediately procured Colonel Morris' sextant, shipping it direct to Newcastle by water, while he returned by land. In the meantime, the Maryland commissioners, having waited at Bohemia Manor from the 10th to the 17th of June, during which time they had taken several observations showing the latitude of the place to be 39° 45′ (which is really 39° 30′), decided, as they had a curiosity to see Newcastle, to visit that point. While they were there, they persuaded the captain of the sloop which brought down the sextant from New York, to allow them to use the instrument for determining the latitude of Newcastle. This was done on the 27th of June and they found the latitude to be 39° and 40 odd minutes (39° 40′). It was now nearly three weeks since the Maryland commissioners had sent their communications to Governor Markham, and, so far as the evidence shows, they had heard nothing from him beyond the evidence conveyed by the presence of the instrument at Newcastle. They had made determinations satisfactory to their proprietor, though really understanding his rights, and apparently thought they might as well go home. This they accordingly did. This was unfortunate for the settlement of the controversy, for Governor Markham arrived at Newcastle the evening of their departure and the next morning sent Mr. Haige to Bohemia Manor, in an unsuccessful attempt to overtake the commissioners. After Governor Markham's exertions in New York he was chagrined to find the commissioners gone. Moreover, the results of the observations made by

them, which were probably known, were not such as to increase the kindly feeling in his mind toward the Commissioners whom he thought guilty of knavery in using the instrument which he had sent down from New York. A week or more later, Governor Markham wrote a letter to Lord Baltimore explaining his absence upon the meetings of the commission, and expressing his surprise at their appointment. On the 14th of July Lord Baltimore wrote to Governor Markham suggesting that they meet in September at Augustine Herrman's. On the 19th of the month Lord Baltimore arrived at Elk River and sent a letter to Governor Markham, which he followed up the next day with a second letter. From here Lord Baltimore went to Newcastle with a retinue estimated by Baltimore to be 20, and by Markham to be over 40, where they remained until the 23d. Baltimore, then hearing that Markham had left for Burlington, New Jersey, upon receipt of the letter of the 19th announcing Baltimore's approach, left Newcastle and went to Upland. At 10 o'clock the same night Markham arrived at Upland, and was surprised to find Lord Baltimore and his retinue occupying his quarters at Thomas Wade's house. The next day, Sunday, after some conversation between Governor Markham and Lord Baltimore, the latter asked to see the instruments and to have them compared. One of these was found to be incomplete, as certain of the lenses had been taken by Mr. Haige. The Morris instrument, however, was brought out and set up, and an observation of the latitude taken, as it was a clear day. According to Markham's account the instrument was set up by Baltimore's men, the observations being made only by them and the results obtained 39° 45′. Lord Baltimore's statement is that the instrument was set up by Richard Noble, a Quaker, and that the observation was taken not only by Baltimore's men, but by Noble, and that they all agreed that the latitude was 39° 47′ 5″ (the latitude of the place is 39° 51′).

Both parties seem to have agreed that Upland was south of the 40th parallel, but on Monday when Lord Baltimore asked permission to go up the Delaware River to where the 40th latitude crossed it, Governor Markham dissented on the grounds that everything along the Delaware from 12 miles north of Newcastle to the 43° had been

granted to Penn, and that, as a loyal representative of his proprietor, he could not allow any pretense to the territory, and that if the patents overlapped the question must be referred to the King, and that he would not discuss the relative value of the two grants. He was, however, ready to proceed with the marking of the boundaries between his province and Maryland, along what is now the Delaware peninsula. At Lord Baltimore's request Governor Markham reduced his refusal to writing. During the discussion feeling ran high, and the repeated assertions of the contestants had not tended to quiet the more or less evident suspicions entertained on either side. Lord Baltimore claimed that the territory on which they stood was his, and that before long he would return and assert his rights according to the observations which had there been taken. Similar, and even stronger, words were said to the inhabitants at Chichester, or Marcus Hook, where Lord Baltimore ordered the inhabitants to pay no more taxes to Penn, warning them that he would return to claim his own. Although Governor Markham had agreed to meet Baltimore at Newcastle the following day, the excitement caused by Baltimore's remarks was deemed sufficient by him and his councillors to warrant the breaking of his agreement with Lord Baltimore. In this way the first conferences were brought to an end without accomplishing anything more than one or two determinations of latitude, and the arousing of lasting animosities between the proprietors.

Conferences Between Lord Baltimore and William Penn.

The anticipated arrival of the Proprietor himself, combined with the ill-feelings aroused between Baltimore and Markham, made any further attempts at conference between them unadvisable. William Penn arrived at Newcastle 24 October, 1682, and at once notified Governor Dungan, the Duke's representative in America, and Lord Baltimore of his arrival. After paying his respects to Governor Dungan in New York, Penn proceeded southward to his possessions along the Delaware. During November occurred the ceremony of Livery and Seizin, by which he took possession of his gifts from the Duke of York along the west side of the Delaware. On the 11th of December following, having already accomplished an act of union

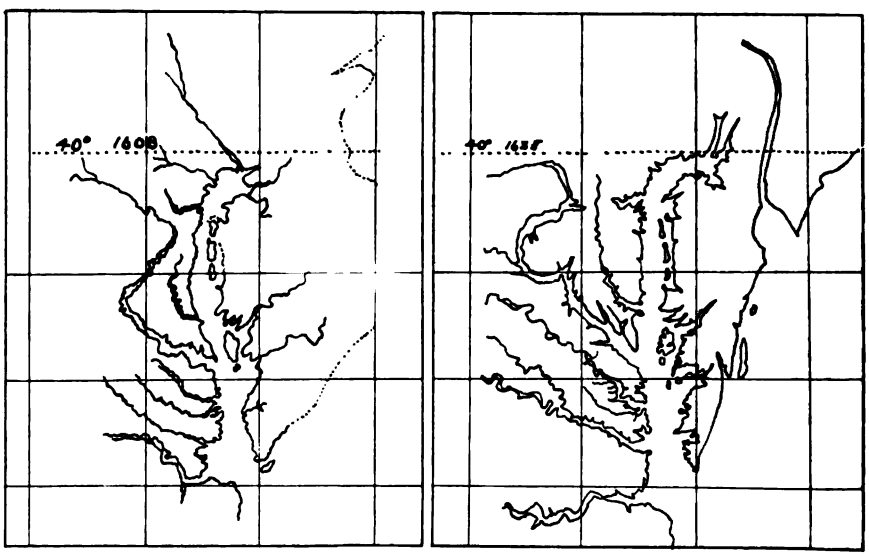
between Pennsylvania and the Three Lower Counties along the Delaware, William Penn visited Maryland, and two days later, on the 13th of December, 1682, began a conference with Lord Baltimore at Colonel Tailler's house in Anne Arundel County.

CONFERENCE AT COLONEL TAILLER'S.

The records of this conference now extant are, in great measure, *ex parte* reports by Lord Baltimore, one of whose clerks took notes of the same in *shorthand.* This is, however, signed by all of his Councillors, and appears to be a very fair statement of the case, although William Penn, in one of his letters, writes that he might have changed a few statements in it.

The conference opened with assurances of good will and neighborliness on the part of William Penn, who presented in the course of his remarks a letter of the King dated August 19. On reading this letter, Lord Baltimore immediately said that the King must have been misinformed as to the facts in the case. The letter suggested the measurement of two degrees north from Watkins Point (37° 55′) at the rate of sixty miles to a degree. Lord Baltimore claimed that his charter said that his territory went to the 40th degree, and that he must abide by the terms of his charter. William Penn then suggested that they overlook the King's letter, and that Lord Baltimore put 38° at 37° 30′, thereby taking half a degree from Virginia and giving half a degree to Penn. It is not quite clear what Penn meant by this proposal, but the impression left is that Watkins Point (37° 55′) and 38° were considered as the same, and that the position of 37° 30′ was a point to be measured from the Capes as proposed later. Baltimore, still holding to the letter of his patent, urged that the best way to determine the position of the 40th degree was to take an observation near that point with a large sextant, like that owned by Colonel Morris of New York, which Governor Markham had already forwarded to Newcastle. Penn, in return, proposed that Lord Baltimore determine the northern limits of Maryland by measuring 2° 55′ from Cape Charles, which point had long been regarded as situated at 37° 5′ North latitude, when it is really 37° 6½′. (Fisherman's Island, just off the Cape, is 37° 5′ North latitude.) If the rate of each degree

had been correct, and not limited to 60 miles, an agreement on this proposition would have brought the contestants to the northern boundary claimed by Lord Baltimore. There were, however, serious difficulties involved in attempting to run a line for 175 miles through the almost unbroken forests and swamps of eastern Maryland, and across the broad estuaries which, seventy years later, presented serious difficulties to the local surveyors as they ran the eastern boundary of Maryland. Lord Baltimore had already stated his decision that the correct way to determine the position of his northern boundary was by making an observation for latitude at that point. He, there-

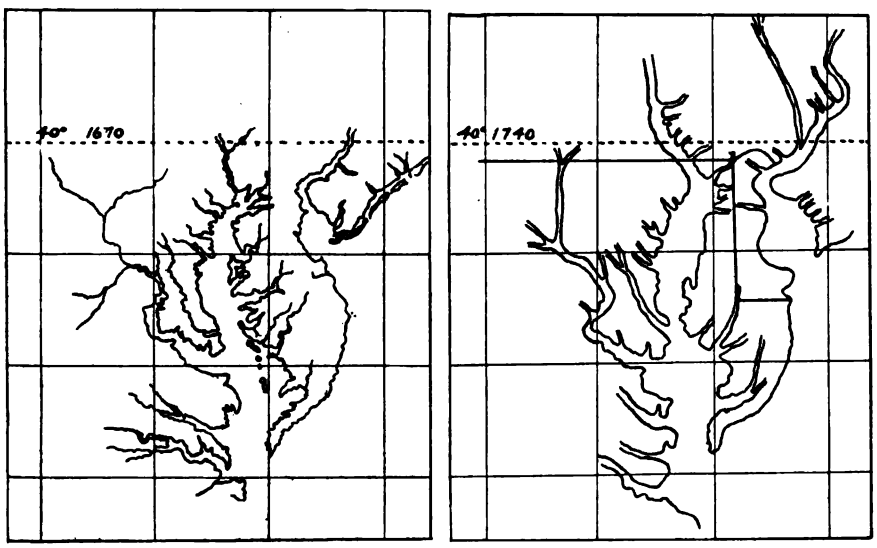


SMITH MAP. BALTIMORE MAP.

FIG. 5. Maps showing relation of 40° N. Lat. to Chesapeake Bay.

fore, in response changed the subject, asking Penn if he had bought the Duke of York's pretensions to Delaware. Penn in reply told him that he had received the gift of the Duke's possessions, but that he did not wish to discuss that question until after they had settled the northern boundary. The discussion continued somewhat longer, but no headway was made. Penn apparently realized from what he doubtless had heard from Markham, that the 40th degree actually lay north of the head of the Bay, and that if he allowed Baltimore to

determine his limits by new and accurate measurements Pennsylvania would be cut off from an outlet into Chesapeake Bay. At the same time, he may have felt that there was some chance of his gaining this desired opening by a determination of the location by the measurement of degrees on the formerly accepted basis of 60 miles to a degree. By this method there was a chance that he might gain through an error in the latitude of the capes, or by errors in the assumed length of a degree. He certainly appeared averse to a determination of latitude under the most favorable circumstances for accurate work which could be arranged in this undeveloped country.



HERRMAN MAP. CHANCERY MAP.

FIG. 6. Maps showing relation of 40° N. Lat. to Chesapeake Bay.

Baltimore, on the other hand, having found by observations at Augustine Herrman's, Newcastle, and Upland, that the 40th degree lay farther north than he had formerly supposed, held to the method which was at the same time simplest, most accurate, and most favorable to his claim. The impression is also given that Lord Baltimore feared to deviate from the letter of his charter rights even at the King's instigation, lest the proceeding form the occasion for a review of his title by the King and his Council, who were antagonistic to him, and with whom William Penn stood in favor.

The morning following this conference William Penn and his party escorted by Lord Baltimore and the Marylanders left for a meeting with his Quaker friends about five miles distant, whence William Penn later passed to the Eastern Shore. The conference thus ended with little accomplished beyond "a solid conference . . preparatory to a future conclusion," and the outlining of the positions held by the two parties, who were to be in legal conflict regarding their possessions the rest of their lives.

THE CONFERENCE AT NEWCASTLE.

The conference at Colonel Tailler's house, already described, had been conducted with considerable heat, but the feelings which had then been aroused were only temporary, and on the 23d of April following, William Penn wrote Lord Baltimore asking him to name some place of meeting. To this Lord Baltimore replied that he would meet him in the middle of May. On the 23d of that month John Darnall was despatched by Lord Baltimore to the Sassafras River with a letter to notify Mr. Penn of Lord Baltimore's presence in the neighborhood of Pennsylvania. On the 29th of the same month the proprietors met near Newcastle and proceeded together to that town. In the evening, at their conference, Lord Baltimore asked Mr. Penn what proposal he had to make. Mr. Penn replied by stating, first, that he now held to the King's letter of the 19th of August (waived by him in the former conference), so far as it required a measurement from Watkins Point to the 40th degree, that he was, however, ready to have an observation taken at Watkins Point to determine its latitude. He also frankly acknowledged that he hoped by insisting on the measurement that he would gain six or seven miles, and by that means get to the waters at the head of Chesapeake Bay. Our present knowledge of the region shows that he would have gained about 20 miles, but his southern boundary would have crossed the Susquehanna River near Bald Friars, about 12 miles above the head of the Bay. Lord Baltimore called attention to the fact that His Majesty's letter had already been waived by the former conference, and that if Penn was willing to recede from his former position and stand by a new observation he saw no reason why

that should not be taken at the northern, instead of the southern, boundary. Moreover, his charter said nothing about determining the limits by measurements but defined definite points.

Recognizing that Baltimore was prepared to stand firmly in his original position, yet anxious to get some settlement of the question which would give him an outlet on the Chesapeake, Penn proposed that Lord Baltimore name a definite price, or scale of prices, at which he would sell enough land to assure Pennsylvania's possession of such an outlet. On receipt of such an agreement Mr. Penn was willing to proceed with Lord Baltimore to the determination of the 40th degree.

This was a new proposition on the part of Mr. Penn which apparently waived all instructions in His Majesty's letter, and admitted the position of Lord Baltimore as to how the limits of his territorial grants should be determined. The proposal was apparently an attractive one to Lord Baltimore, and he wished time to think it over. Penn, however, would allow him but a single day. On the morning of the 30th Baltimore apparently declined the proposition, offering in its stead some other which was equally unsuccessful; so the conferees parted, having accomplished nothing definite beyond the recognition of their differences.

During the interview Penn referred to his influence with His Majesty the King and the Privy Council, insinuating that he could obtain orders from them allowing him to proceed as he desired. Baltimore realized that if Penn could impose his dictates upon the King and Council it would be vain for him to hope to have justice done. The order of November 13, 1685, shows with what accuracy the contestants estimated their relative positions.

The Talbot Line and Embassy.

Charles, Lord Baltimore, on his return from England at the time of his accession to the title, was accompanied by his cousin Colonel George Talbott, who was destined, in the few years of residence in the Province, to rise to great prominence and to become what was probably the ultimate cause of Lord Baltimore's disfavor at court and the consequent loss in his contest with the Penns. Two incidents

in Talbot's career have more immediate connection with the boundary controversy. These are his survey of a provisional boundary line from the Susquehanna to the Delaware, and his demand upon William Penn, through the latter's deputy, of all the territory on the west side of the Delaware River south of the 40th degree.

Colonel Talbot had already received from his cousin the princely estate, Susquehanna Manor, extending from the North East River to

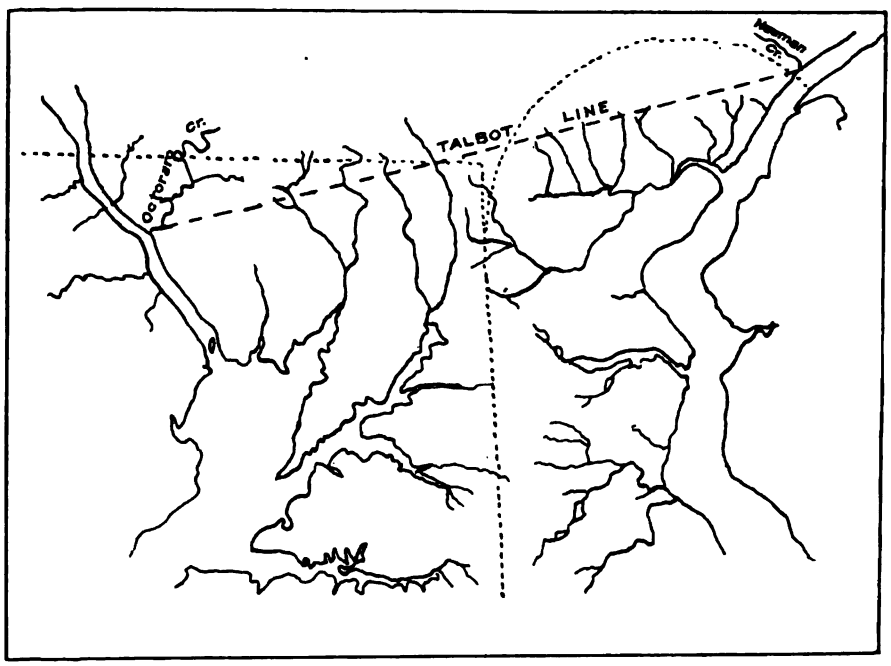


Fig. 7. Map showing approximate location of first boundary line run between Maryland and Pennsylvania.

the Octoraro and from the Bay to a point some miles north of the present boundary between the states. This was shortly followed by generous, but smaller, grants along Elk River. The impetuous leader of the new settlement was doubtless given these particular tracts to forefend against encroachment on the part of the Dutch and English along the Delaware, who were beginning already to migrate across the narrow peninsula to the fertile highlands along the Susquehanna.

Somewhat of the plans in mind may be gleaned from instructions issued to Colonel Talbot on the 12 March 1682/3, but nothing in them indicates the running of the boundary line. Observations of the latitude had been made under Lord Baltimore's direction on Palmer's Island on the 10 June, 1682, and that of Bohemia Manor on the 27 of September, while the commissioners had been awaiting those from William Penn. It was about this time, when the latitude was relatively well determined, that Colonel Talbot ran a line from the mouth of Octoraro Creek on the Susquehanna River to Naaman's creek on the Delaware. Although this line was apparently run in a careless way, without the use of refined methods or good instruments, and was marked by no monuments more permanent than blazed trees, it was destined to be of critical value in the contest conducted by coming generations. It was claimed by the Penns, and apparently thought by Secretary Cecilius Calvert, to represent, approximately, the northern boundary of Maryland as conceived by Charles, Lord Baltimore, at the time when the controversy between the neighboring provinces was still in its infancy. In this view there is doubtless much truth, for many of the contemporaneous writings show that the *Marylanders* had little thought of the unsettled territory beyond the little Indian fort at the mouth of the Octoraro. That the proprietor himself did not esteem the line to be his northern boundary, as was often claimed in later years, may be seen from the commission which he issued to Colonel Talbot on 19 March 1682/3, as the latter started on his embassy to William Penn. In a preamble Lord Baltimore says "Whereupon wee to manifest our most loyall and Dutifull respect to his Maj*tie* and how it was not through any neglect of ours that his or*dre* concerning a joint observation were not in all respects punctually observed, caused two observations to be taken at two severall times, and an East and West line accordingly to be runn out and mark't at greate disadvantage to our Self, being some Miles to the Southward of the Northerly latitude of ffourtieth Degree."

The second incident in Talbot's active assistance of his cousin respecting the settlement of the boundaries, was his visit to the home of William Penn with the demand that the latter deliver to Lord Baltimore "all the Land upon the West side of Delaware River and Bay,

and the Seaboard side to the Southward of ffourtieth Degree of Northerly Latitude, and more pticularly all that part thereof which lyeth to the Southward of the markt lyine aforesaid." This visit appears to have been authorized by two different commissions, the one dated 19 March, 1682/3, the other as given by Talbot to Nicholas Moore dated 17 September, 1683.

Colonel Talbot arrived on the Schuylkill on 24 September, and found Mr. Penn away from home. He accordingly made his demand upon Nicholas Moore, who, as deputy for William Penn, scarcely felt empowered to take up such a weighty controversial matter. The formal demand made at the time has been preserved among the Calvert papers.

The apparent audacity of Colonel Talbot in coming to his home with such a demand appears to have been too much for the sturdy Pennsylvanian proprietor, who replied to the demand by a lengthy answer, dated 31 October, which by its pettiness and perversion of previously recognized facts, adds nothing to the luster of his reputation. It is moreover marked by a disingenuousness which certainly did not increase the friendly feeling between the contestant proprietors. The impression left upon the recipients of this answer may be seen in the lengthy analysis found among the Calvert Papers, which has been published among the Maryland Archives.

The incident accomplished nothing towards the settlement of the controversy beyond the arousing of greater harshness of feeling and mutual distrust.

The Controversy Transferred to England.

Both contestants, after their conference at Newcastle, realized that the subject in dispute could not be settled by them since it involved a question of the rights conveyed by their letters patent. The reference of the matter to the King and his Privy Council was dreaded by Lord Baltimore, who had spent the last twenty years in America, with a single visit to England in 1675, the date of his accession to the title. Penn, on the other hand, welcomed such a transfer, since as a business agent for the Duke of York, then heir apparent and soon to be the King as James II, he was united to him by bonds of

intimacy and interest. Moreover, the King at the moment was much displeased with Lord Baltimore because of his attitude in hindering the collection of the King's taxes in Maryland. A letter, in the nature of a reprimand, forwarded by the King on the 8th of February, 1681, reached Lord Baltimore in May, 1682.

Before this letter of the King reached him Lord Baltimore, who seemed to feel himself in disfavor, sent a letter to William Blathwayt, the 11th of March, 1681/2, complaining of William Penn's letter to several gentlemen in his province, and telling of the courtesies he had shown Captain Markham during his illness in Maryland. He also inclosed a narrative of his conference with Governor Markham, endeavoring to show that he was very ready to have the line settled between them. On 8 February Lord Baltimore sent to Lord Halifax, Lord Privy Seal, a letter inclosing accounts of his conference with William Penn and a narrative of the whole proceeding, asking His Lordship's favor in the case. He called to His Lordship's mind the yearly revenue derived from the province, and the vast trouble and expense which his father, relatives, and friends had endured to establish the province. This letter was presented on the 17th of April following to the Privy Council. It was then ordered that a report should be made upon the several boundaries of the patents granted to Lord Baltimore and Mr. Penn, and also to His Royal Highness. It was further ordered that the agents of Lord Baltimore and Mr. Penn, both proprietors being then in America, be requested to attend at the next meeting, and that in the meantime application be made to His Royal Highness not to convey anything to Mr. Penn. Lord Baltimore's agent presented himself ten days later to their lordships, and was told that "if he has any matter of complaint he may represent the same by petition to His Majesty and Council." Richard Burke accordingly presented a petition praying that a grant which was passing to His Royal Highness adjacent to Delaware Bay should not pass the Great Seal until His Majesty should be satisfied concerning the extent of lands granted to the Lord Baltimore. After a presentation of the case by counsel representing the three interested proprietors, Mr. Penn's agent was allowed to present proofs to show that this country was possessed by the Dutch and

Swedes in the year 1609, or at least, before the date of Lord Baltimore's patent. At the same time it was ordered that the whole matter be referred to the Board for Trade and Foreign Plantations.

About this time (11 June, 1683) Lord Baltimore writes to his friend William Blathwayt asking that if Mr. Penn should move for any further order and commands in reference to the bounds of the two provinces he might have time to be heard in his own behalf, since he expected to leave for England the following Spring to make his own defence regarding the northern boundary, and to justify his claim to the lands on the Delaware. In this letter he inclosed "The sume and substance" of his private conference with Penn at Newcastle. At the same time he wrote more formal letters to Sir Lyonel Jenkins, Secretary of State, and to Lord Halifax. On the same day that these letters were written in America, the Privy Council in London defined the question at issue to be "whether in the year 1632 the Dutch were possessed of the lands claimed by Mr. Penn."

By the first of November Lord Baltimore received word that nothing would be concluded by the Council without hearing him or his agents, and in April, 1684, having appointed a council of nine to administer the business of the province under the nominal governorship of his son, Benedict Leonard, then a lad in his teens, sailed for England with the hope that he might soon adjourn to Maryland where it was his interest, his inclination, and delight to be. This hope, however, was never realized, as the controversy before the Privy Council and subsequent difficulties of his position, together with his increasing age, compelled him to remain in England until his death on Feb. 24, 1714/15, at the age of 85 years.

Decision of November 13, 1685.

The arrival in England of Lord Baltimore preceded that of William Penn by three months, the latter arriving on October 24, 1684. The circumstances under which they found themselves were, however, very different. Lord Baltimore had been absent from the country for a quarter of a century with a single visit to England in 1675 and was out of touch with persons in authority who were unmindful of the character and good deeds of his father and grandfather,

who had stood in high esteem among the court following of James I and his son Charles I. William Penn returned to England after an absence of only three years to renew his associations with the prominent people whose interest he had in charge, chief of whom was James, Duke of York, who within five months after Penn reached England succeeded to the crown as James II. The relationship between William Penn and his royal patron seemed to have been close, and the success of Penn's enterprises were of interest to His Royal Highness, who had been the titular head of the unallotted English possessions in America since the fall of the Dutch in 1663.

During the absence of the proprietors in America, word had reached England of their difficulties in coming to a settlement, and the King on the 31 of May, 1683, had ordered that the Board for Trade and Foreign Plantations report upon the title to the lands upon the Delaware. In America the two conferences between Lord Baltimore and Governor Markham, as well as those between the proprietors of Maryland and Pennsylvania, had been devoted exclusively to a determination of the northern boundary of Maryland. The question at issue under the King's order was with respect to the territory along Delaware only, a question which William Penn had declined to discuss with Lord Baltimore, pending the settlement of the east and west boundary.

Members of the Privy Council to whom the question had been referred by the King received many letters from the contestants setting forth the various points of advantage to themselves. Representatives of the interested parties likewise appeared from time to time before the Board. Lord Baltimore was represented by Mr. Burke, Mr. Penn by Mr. Ford, and His Royal Highness, the Duke of York, by the Solicitor-General, Sir Edward Herbert. The interests of the Duke of York were indirect, as he had already leased the territory to William Penn, but the decision of the Privy Council was of interest to him in establishing the title which he had already bestowed, and in lessening the possessions of the most independent of the English proprietaries in America. His interests, such as they were, however, exerted a profound influence upon the Board before whom the case was presented. It was perfectly natural that the Privy

Councillors should do their utmost to satisfy the recently enthroned sovereign, especially when their own fortunes were more or less at stake. When the King possessed a character such as that ascribed to James II it would have been political suicide for them to do otherwise. There is, however, little ground for the statement in Lord Baltimore's letter to Colonel Taylor, written a few days after the decision so disastrous to his interests, that the Order in Council "was passed unknown to him, without his having had any summons or notice to be heard any further in that affair." This is well borne out by the following summary of the meetings held by the Board for Trade and Foreign Plantations, to whom the decision had been referred. On the 17th of April, 1683, Lord Halifax laid before the Board Lord Baltimore's letter of the 8th of February, with the inclosures giving Baltimore's account of his conferences in Maryland. The request was also made by Baltimore that nothing be done toward granting Penn territory on the Delaware prior to his own arrival in England. The Board in taking notice of this request directed the Lord Keeper to examine the boundaries of the patents granted to Lord Baltimore, Mr. Penn, and His Royal Highness. On May 30 following, a formal petition was presented by Richard Burke, representing Lord Baltimore, to the same effect that no grant might pass the Great Seal until the question of title was settled. The following day the whole question was referred to the Board of Trade and Foreign Plantations by the King. Two weeks later, on June 12, the question at issue was reduced to the question whether in 1632 the Dutch possessed the land claimed by Penn. On February 13, 1683/4, Mr. Ford, acting as Penn's representative, asked for a hearing in behalf of His Royal Highness who had rented the land in question to William Penn. The Board in reply postponed the business until the following April when it was hoped Lord Baltimore might be present. As already shown, Lord Baltimore did not reach England until some months later, and accordingly, on June 30, the Duke of York's solicitor, Mr. Herbert, requested in behalf of His Royal Highness that there be no further delay and consequently on July 2 the Board appointed a meeting for Wednesday, the 16th inst., upon which date the discussion was deferred for one week. Upon

the 23d of July when the Committee was ready to take up the question Mr. Ford, on behalf of Penn, asked for a postponement on account of the absence of Sir Edward Herbert, representing His Royal Highness. It would appear from the records that Lord Baltimore had already reached England at this time, and that he was present at the meetings. The subject was postponed until the 29th of September. In the meantime, (August 20), Lord Baltimore was granted copies of the minutes of the previous meetings in so far as they related to the lands on the Delaware. On September 30 at the request of the Duke's solicitor the question was again postponed in order that Mr. Penn might be present at the hearing. Mr. Penn arrived in England the latter part of October, and a meeting of the Board was held on the 9th of December, but the discussion of the question was postponed until a later day. Matters apparently hung in abeyance until September 2 of the following year. In the meantime, however, William Penn's petition for the quieting of his possession had been refused on March 17, and the King's order of *quo warranto* proceedings, (of July 15), had been answered by a petition of Mr. Penn, who stated that the question involved was not of power but of title to land, and was consequently not a question for *quo warranto* proceedings. The meeting on September 2 when the matter, already postponed from August 26, was taken up was really the first in which any progress had been made since the spring of 1683. At this time William Penn produced evidence to establish the fact that the Swedes and Dutch inhabited the Delaware prior to the granting of Lord Baltimore's patent. Copies of this proof were given to Lord Baltimore and he was asked to make his defence on the 30th, but the matter did not come up until the 8th of the succeeding month when Lord Baltimore cited the accounts of Ployden, in 1642, and presented copies of the Board of Trade's decision of April 4, 1638, and of Van Sweringen's deposition relating to the settlement of the Delaware. The argument made by Lord Baltimore does not seem to have made very much of an impression, as might be expected from the evidence as recorded, which he is said to have presented. The deposition of the Dutch secretary of Newcastle who had now associated himself with Lord Baltimore, living at St. Mary's

City, is so full of inaccurate statements, judged by our present knowledge, that it could hardly have been taken as a trustworthy document by the Privy Council. The copy of a report by the Commissioner of Foreign Plantations dated April 4, 1638, showing the opinion at that time as to Baltimore's right to the Isle of Kent in his differences with William Claiborne, was not regarded as authoritative, and Lord Baltimore was asked to present an attested copy of the same at a later date. Nine days later Lord Baltimore reported that he was unable to find an original or authentic copy against which the record could be compared. This failure on the part of Lord Baltimore was subsequently employed in an effort to substantiate the charge that he had attempted to impose upon the Committee a spurious document.

On the last day of October the Committee proposed, in the presence of Baltimore and Penn, "that the whole Peninsula or tract of land called Delaware from East to West as far as Cape Henlopen Southward . . . be divided into two equal parts between His Majesty and my Lord Baltimore." Baltimore was given a week to offer any objections to this proposal and on the 7th of November after hearing these the Committee resolved to report their opinion to the King. Accordingly the Committee reported on that date that they found that Lord Baltimore's patent was for uncultivated land, and that the land in dispute was inhabited by Christians before the date of this patent, and that since that date it had been made a colony distinct from Maryland. They accordingly recommended that the tract of land lying between the Delaware and the Eastern sea on the one side, and Chesapeake Bay on the other, be divided into two equal parts by a line from the latitude of Cape Henlopen to the 40th degree of northern latitude, the eastern half to be adjudged to the King. A week later on the 13th of November, 1685, King James II approved the report and ordered that the land be divided forthwith accordingly. This approval easily might have been foreshadowed as it, in a way, legalized his princely gift to Penn of lands to which he had himself practically admitted that he had no title.

This decision was in its terms a compromise between the positions of Penn and Baltimore, since the question of the Delaware was

settled in favor of Penn, while that of the northern boundary was in favor of Baltimore. The question formulated at the beginning of the hearings several years before was as to whether or not the Dutch had a settlement on the Delaware prior to the granting of Lord Baltimore's title. The questions at issue between Lord Baltimore and William Penn during their conferences in America, viz., the northern limit of Maryland and the method of its determination, are not mentioned in the minutes of meetings until the decision of the Committee is reached on November 7. It was, however, probably under discussion and the Committee clearly placed themselves on record so far as the 40th degree of latitude was concerned. The action of the Committee regarding Delaware determined, in great measure, the present position of the boundary line between Delaware and Maryland, (finally located by Mason and Dixon) but the discussions regarding the northern boundary continued until it was finally located nearly twenty miles south of the 40th degree of latitude.

Duke of York's Title to West Side of the Delaware.

The decision of the Privy Council in the Fall of 1685, to all practicable purposes, settled favorably the title of Wm. Penn to the west shore of the Delaware river. As this decision was based upon the assumed validity of the Duke of York's title to this territory it is worth the while to consider the basis for such an assumption. To do this it is necessary to review somewhat the tangled web of events relating to this disputed territory, although many of them have already been mentioned.

The fall of the year in which Cornelius Mey entered the Delaware witnessed the granting October 11, 1614, by the States General to the United Companies of the right to trade for three years between the fortieth and forty-fifth degrees along the American coast. During the next few years rival claimants disputed before the States General for the rights to trade in this territory, which were ultimately granted to the Incorporated West India Company, according to whose charter they were entitled not only to trade but to people America. In 1623 this company took formal possession of the

Delaware or South river, as it was then called, and Captain Mey built Fort Nassau at Gloucester Point, N. J., a few miles below Philadelphia. At that time the Dutch regarded themselves to be entitled by this act to territorial rights from Cape Henlopen at the mouth of Delaware Bay to the head of navigation. The enterprise, however, was not successful and Fort Nassau was ordered abandoned by the company in 1628. During the following year Godyn and others obtained a patent for land on the west side of the Delaware which had been purchased by them from the Indians, while the Maryland charter was being discussed in England. In this way he and his associates obtained a title from the Committee of XIX to the south side of Delaware from Cape Henlopen toward the mouth of South river, about eight and a half leagues [thirty-four miles] in breadth into the interior to a certain marsh; or the greater part of the present counties of Sussex and Kent Delaware. In the fall of 1630 they started a colony in Europe which settled at Whorekill (Lewes creek) in April, 1631, only to be exterminated entirely by the Indians during the succeeding year. De Vries arrived at the mouth of the Delaware with re-enforcements December 5, 1632, where he learned of the slaughter of the first settlers and decided to give up the settlement.

The rights to this settlement were subsequently sold to the Dutch West India Company.

While the Delaware was thus abandoned by the Dutch the grant of Maryland was given to Lord Baltimore, and the Swedes made a settlement at Christina (Wilmington), in 1638. The Swedish settlements at first were successful, and by 1642 their frontiers are described "from the borders of the sea, in returning south west towards Godyn's Bay and then towards the great South river as far as Manquaaskill, where is constructed Fort Christina and from thence again towards South river, and the whole to a place which the savages call Saneken (Trenton)". Thus the Swedes claimed the same territory as the Dutch, although the territory which they bought from the Indians, covering only a small area about Fort Christina, was different from that purchased by Godyn and his companions. No attempt to reduce them was made either on the part of the

English or the Dutch, who both claimed the right to the territory, during the first ten years of their presence in America. With the arrival of the energetic Peter Stuyvesant as the Director General of the West India Company, the Dutch asserted their claims to the Delaware. In 1651 Fort Casimer was erected at Newcastle, a few miles below the Swedish settlement, to cut off the latter's approach from the sea. The capture, or betrayal, of this fort in 1654, again brought Stuyvesant to the Delaware, when the Dutch effectively asserted their supremacy over the Swedes by recapturing Fort Casimer and taking the Swedish settlement. In the meantime the Dutch West India Company, after the establishment of Fort Casimer, sold to the city of Amsterdam the territory from Christina creek to Bombay Hook. By this act it was hoped that the colonization of the Delaware would be stimulated, but the appointment of inefficient governors made matters even worse, as the authority was divided between the representative of the "city colony," resident at New Amstel (Newcastle) and the representative of the West India Company resident at Altena (Wilmington). Each of these reported to Governor Stuyvesant, but were themselves at odds regarding their relative rights in the government of the Delaware region. During the years of contention the settlements waned until New Amstel contained scarcely a score of families, guarded by eight or ten soldiers. It was at this time that Colonel Utie in 1659 presented the claims of Maryland, not to the representative of the West India Company, but to the Lieutenant-Governor of the City Colony at New Amstel, who seems to have been overcome by the Marylander's bold action. The representatives of both authorities reported the claims of Maryland to Governor Stuyvesant who with his customary spirit, sharply reprimanded them both for their frivolous action.

Ignorance of the two-fold character of authority on the Delaware has often led to wrong conclusions regarding the incidents of this time. At the beginning of the seventh decade the burgomasters of Amsterdam, having spent large amounts of money in attempts to establish a successful colony at New Amsterdam, realized that something ought to be done to remove the inefficiency resulting from divided authority. Accordingly in 1663 they purchased from the

West India Company the title to the rest of the territory on the west shore of the Delaware from Bombay Hook to Cape Henlopen and the West India Company's representative was ordered to remove all property of the Company from the territory. Such was the state of affairs on the Delaware when Sir Robert Carr was commissioned, September 3, 1664, to subdue the Dutch settled in Delaware Bay. The instructions given to him by his fellow-commissioners were as follows: "You have commands to keep possession thereof for His Majesty's own behalf and right . . . and if my Lord Baltimore doth pretend right thereto by his Patent (which is a doubtful case) you are to say that you only keep possession till His Majesty is informed and satisfied otherwise."

On the 12th of March, 1664, Charles II granted all of the territory from the St. Croix river to the *east* side of the Delaware bay to his brother James, Duke of York, nothing being said about the west bank which had been originally granted to Baltimore in the terms of his charter which had been confirmed to Lord Baltimore by Charles II, as late as 1661. The action of Sir Robert Carr is thus seen to have been open to question and the title to the west shore possessed by the Duke of York was one of superior strength on his part, and of acquiescence on the part of his brother, the king. It had no documentary basis. The views impressed upon the Duke of York by his subordinates in America and, probably, accepted with satisfaction by His Highness, may be seen in the letter from Colonel Richard Nichols, one of the Duke's commissioners in New York, to Sir H. Bennet, Secretary of State, written in October, 1664. The writer says he thinks that Lord Baltimore will be more solicitous now to secure from his Majesty than from the powerful Amsterdam Company, and continues by saying "that his lordship will make a faire pretence to it by his pattent: But I hope that His Majesty will either looke on his pattent for governour as forfeited by act of Parliament for trading with the Dutch, or, at least, so much of his pattent as has been reduced at His Majesty's charge."

The extent of territory along the Delaware captured from the Dutch may be inferred from the deed of the West India Company to the Burgomasters of Amsterdam, passed Dec. 22, 1663. This

conveys "the said South river from the sea upwards to as far as the river reaches, or at the east side inland three leagues [12 miles] from the bank of the river, on the west side as far as the territory reaches to the English Colony, with all streams, kills, creeks, ports, bays and outlines belonging thereto."

No documents prior to 1681 are known granting to the Duke of York the small excess of territory captured from the Dutch, not included in the grants to the Duke of York of 1664 and 1674. This small area, equivalent to that of the present State of Delaware, upon its capture from the Dutch, either passed to the Crown as territory excluded by the *hactenus inculta* clause of Lord Baltimore's charter, or else by that document was restored to Lord Baltimore, who up to that time had often asserted, but never exercised, his rights over it. It is this area which was conveyed to William Penn by a series of feoffments and became the subject of controversy before the Privy Council during the year 1683-1685.

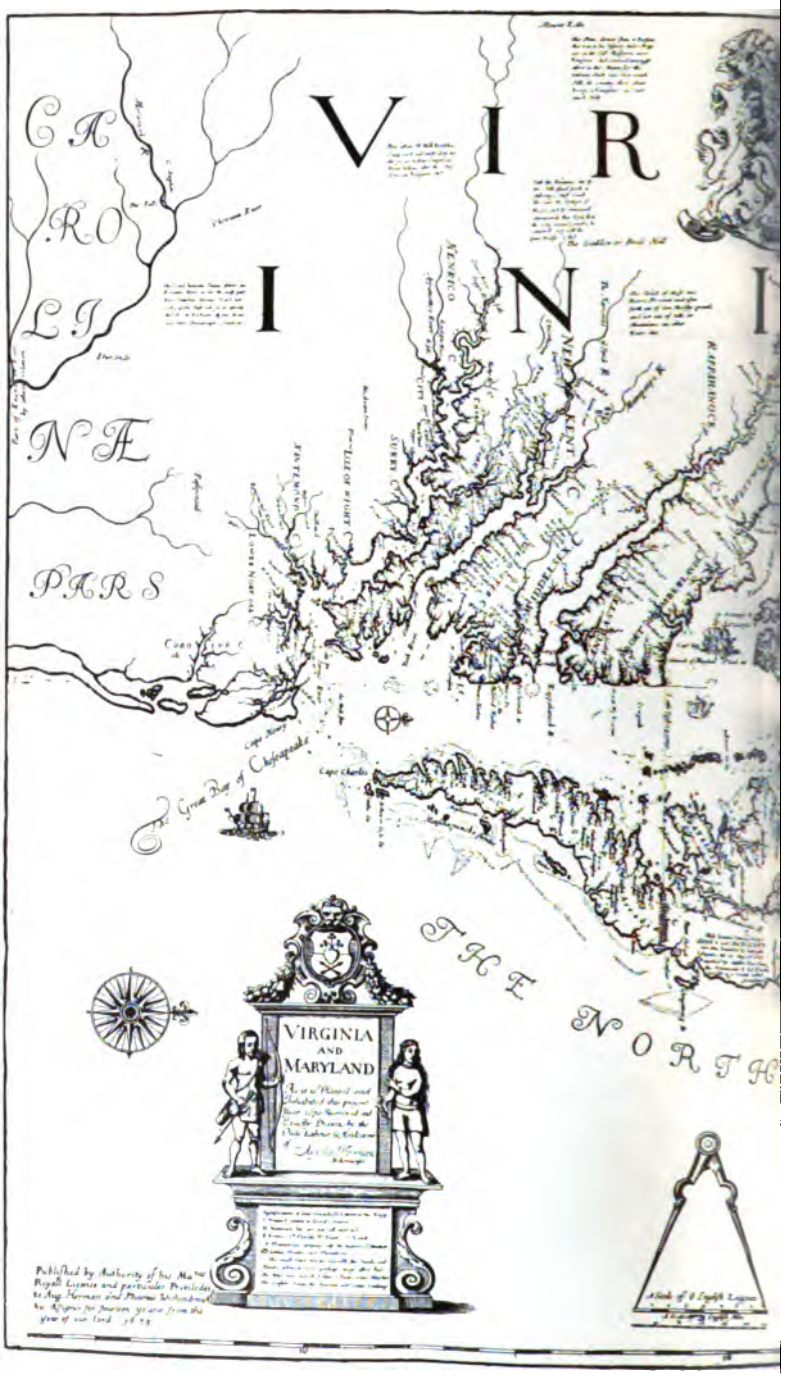
The numerous documents passed to and from the Duke of York, upon which Penn's title to Pennsylvania and Delaware rests, are well enumerated in the brief of the Chancery proceedings filed in 1735. The Duke of York first became interested in the Delaware territory through his grant from King Charles II, dated March 12, 1663/4. By this patent James, Duke of York, received in fee all that part of the mainland from the St. Croix River to the east side of Delaware Bay, and all the islands adjoining. And his title to the country, as shown above, was established by the subjugation of the Dutch by the English forces. From this time on the representatives of the Duke of York exercised the functions of government over New York and the territory on both sides of the Delaware. Subsequent to their capture the Dutch ceded to Charles II all places in his possession on the 10th of May, 1667, by the treaty signed in 1672.

The same year (1672) war was declared by the Dutch. In July of the following year they entered upon their former possessions in America, only to give them up finally in the following February 1673-4, when a peace was concluded, whereby all territory taken from each other since the war broke out in 1672, would be restored. Lest this temporary occupancy by the Dutch should invalidate the

Duke's title to this territory his Majesty, Charles II, issued on the 29th of June, 1674, new Letters Patents conveying in the same words as in the former patent the territory already granted.

William Penn who received his patent to Pennsylvania on the 4th March, 1680/1, received in August of the same year a release of any such rights as the Duke of York might have in the territory so granted. Subsequently Penn leased the residue of the Duke's holdings on the Delaware. Four documents were passed to accomplish this end. Two on the 21 August, 1682, and two three days later on the 24th inst. The first document is a deed of release dated 21 August 1682 conveying to William Penn, in fee, all the Duke's claim to the tract of land granted to William Penn. The second deed under same date granted and leased to William Penn Newcastle and all that tract of land with the circle of 12 miles, about the same, the Delaware river and all its islands lying north of the southernmost part of said circle. The term of sale, or lease, is ten thousand years, and the rent five shillings payable at the feast of St. Michaels. The third document is dated 24 of August, and is the same as the second one above described, except that it was sealed and delivered in the presence of witnesses, the former being unwitnessed. The fourth document is an original deed sealed and delivered in the presence of witnesses dated 24 August, 1682. According to this, out of consideration for the memory of Admiral Penn and the sum of ten shillings, the Duke of York leases to William Penn, for the space of ten thousand years, at an annual rent of one rose payable at the feast of St. Michael the Archangel, all that tract of land upon Delaware River and Bay beginning 12 miles south from the town of Newcastle and extending south to the Horekilns, otherwise called 'Lopen. According to an early document "the Duke of York granted to the late Proprietor the greatest part of those Counties, with a Reservation of one Half off the Profits to himself and His Heirs, but when this was done, The Duke had himself no other Title to them than the possession, Tho' he obtained one afterwards from King Charles by Patent taken out at our Proprs charge." (Statement of James Logan.) This grant was dated 22 March 1682-3, and by it Charles II. granted to the Duke of York Newcastle, the

RESURVEY OF MASON-DIXON LINE.



HERRMAN'S MAP OF VIRGINIA

ID MARYLAND, 1670 (REDUCED).

12-mile circle about it, and all the land from 12 miles south of Newcastle to Cape 'Lopen. This deed, or grant, was immediately transferred to William Penn for whom it had been obtained in accordance with the covenant contained in the deeds of August 24. This document is the first one transferring any title to the west shore of the Delaware since the Maryland Charter of 1632, and its validity depends entirely upon the interpretation of the earlier grant. It was, moreover, subsequent to the deeds to William Penn and the title, if valid, obtained by that appears never to have been formally transferred to William Penn, subsequent to the date of the grant of March 22, 1682-3.

The fact that the Duke of York received this grant at a time before the taking of possession by William Penn, and also that he became King before any final papers had been filed, introduced many close legal questions. The fullest discussion of these legal points by such eminent authorities as James Bayard, late Secretary of State, and Hon. John M. Clayton, may be found in the report of the Hon. John Sergeant, arbitrator in the case of Pea-Patch Islands.*

According to the decision of the referee, the Duke of York as a subject could not acquire any right for himself by conquest, but that he may have been entrusted with large discretionary power considering his relations to the king and that he was the heir presumptive. It was also held that the series of deeds by their descriptions, and boundaries, and other features constituted the three lower counties as a *de facto* province, or colony, with a distinct identity, that the rights of Lord Baltimore to Delaware were decided by the Council of 1685, and that the original right has never been open since.

A Period of Quiescence.

The decades succeeding the strenuous controversy resulting in the order of the King in Council of November, 1685, were days of relative quiescence in the contention over the line dividing the properties of the Penns and the Baltimores. This was not the result of the final settlement of the boundary, as might be inferred from the

*Sen. doc., 30th Congress, 1 sess. Exec. No. 21, 251 pp.

decisive phraseology of the king's command, but was rather the product of many circumstances, political and domestic, which so altered the fortunes of the two contestants that only occasional attempts were made towards the carrying out of the decree of 1685.

CIRCUMSTANCES ADVERSE TO BOUNDARY SETTLEMENT.

A brief survey of the varying fortunes of the two provinces and their proprietors will bring out the reasons why for forty years little was done towards reaching a final settlement. The revolution of 1688 with the attendant ascendency of the Protestants under William and Mary had a depressing influence upon the gentlemanly Romanist from Maryland and the sturdy Quaker who had been so closely in touch with the Jesuitical James II that many believed William Penn himself was at heart a Jesuit. At the same time the political policy of William was to bring the colonies into a closer dependence upon the Crown. These two sets of forces combined towards unjust charges of treason or incompetency against both Lord Baltimore and William Penn, and the seizure by legal procedure of their respective territories. As early as 1686 attempts were made to have the Attorney General prosecute *quo warranto* proceeding against Maryland, New Jersey, and two of the New England colonies, because of their extreme independence, and in the summer of 1690 the Attorney General did proceed against Lord Baltimore, with the result that Maryland became a Royal Province governed by a royal governor from that date until 1715 when the proprietary rights were returned to the young grandson of Charles Third Lord Baltimore.

The proprietor of Pennsylvania fared only a little better, as his government was taken away from him on the 21st of October, 1691, on account of the local disputes between the colonists of the Three Lower Counties and those of Pennsylvania which gave the excuse that the Province needed a firmer governmental control. The real reason of this act probably lay in the supposed treasonable relations of William Penn with his old friend and patron, the exiled James II. The influential friendships of William Penn, including a personal acquaintance with the King and Queen, and his stout advocacy of Protestant beliefs, soon dissolved the suspicions which

had over-shadowed him and on August 20, 1694, a patent was issued to him by King William restoring to him the government of Pennsylvania.

The domestic and personal vicissitudes of the Proprietaries were such that neither of the contestants was free to press with vigor for a settlement. Lord Baltimore was old, and disheartened because of his somewhat ostracized position on account of his religious faith; and William Penn, though not yet aged, was so pressed financially that in 1708 he was obliged to mortgage his interests in Pennsylvania for sixty six hundred pounds. He also was harassed by the jealousies and evil machinations of his enemies. The decade from 1710 to 1720 marks the exit of the two original and most prominent contesting proprietors, Lord Baltimore dying in 1715 and William Penn, after several years of mental derangement, in 1718. The aged Lord Baltimore was succeeded by his son Benedict Leonard Calvert, who was almost immediately succeeded by the youthful Charles Calvert, the fifth Lord Baltimore. William Penn by will transferred his interests in Pennsylvania to his wife Hannah Penn, who in turn deeded the Province to her children John, Thomas, Richard and Dennis. This was contrary to the laws of heredity by which one half of the estate should have gone to William Penn, Jr.

The rapid changes in proprietorship of Maryland, and the contested title to Pennsylvania produced circumstances unfavorable to the successful settlement of the boundary controversies. The period, however, was not devoid of events of greater or less moment which were related to attempts to have the order of 1685 reviewed; incident to the settlement of the boundary; or as illustrating the attitude of the proprietaries.

Attempts to Review the Order of 1685. The feeling of injustice aroused by the Order of 1685 caused Lord Baltimore to press for a review of the entire question under conditions which he hoped were more favorable to himself. To this end he petitioned Queen Anne in January, 1708/9, to set aside the Order on the ground that it was surreptitiously obtained. Such a charge was answered by a counter-petition presented by William Penn, who stated that the whole question had been examined at several hearings on both sides, and that

the Order was reached as the result of long deliberation. William Penn further prayed that Her Majesty should give no countenance to Lord Baltimore's petition. On the 27 January Baltimore's petition was, accordingly, dismissed. Disappointed, but not discouraged, Lord Baltimore again petitioned the Queen on the 19 May following, declaring that the Order of Council in question had been obtained by false suggestions on the part of William Penn and that he had not been heard or notified regarding the Order. Such statements may possibly be technically justifiable as Lord Baltimore may not have received an official notice, or have had a specific hearing on the order itself. The minutes of the hearings in the fall of 1685 already reviewed show clearly, however, that the matter was brought to Lord Baltimore's attention several times before the Order was finally issued. Thus on 17 October the committee report that in their opinion the tract of land in dispute does not belong to Baltimore, but that another meeting would be held before any final decision was made on the boundaries. On the 31 October following, the committee proposed to Baltimore and Penn that the whole peninsula be divided into two equal parts, and Lord Baltimore was given one week to offer objections. At the end of this time after hearing Lord Baltimore, the committee resolved to report their opinion to the king who on the 13 November approved the report and issued the Order on which Lord Baltimore claims he had not been heard. After hearing all these facts Queen Anne in Council on 23 June, 1709, dismissed Lord Baltimore's petition, ratified the decree of 1685, and ordered its execution. No further effort was made to review the original order during the life time of the Third Lord Baltimore.

Attempts at Settling the Boundary. The establishment of the Committee of Trades and Plantations for the conduction of colonial affairs in England brought up the question of the existent boundaries between the various colonies, and in August, 1697, this committee gave notice to William Penn and Governor Nicholson of Maryland, which was now a royal province, that their boundaries must be fixed. These instructions reached Colonel Nicholson at the same time as the order transferring him from Maryland to Virginia and, appar-

ently, nothing was accomplished before he was succeeded by Governor Blackistone in January 1698/9. Governor Blackistone in return was succeeded by Thomas Trench in 1702, and by Governor Seymour in 1704. The latter petitioned Queen Anne requesting that she order the proprietors to run the division line. It was doubtless the activity on the part of Governor Seymour that aroused the elderly Lord Baltimore to petition the queen in 1708/9 as already described. Nothing, however, resulted from all these attempts to come to an harmonious laying out of the boundaries. Lord Baltimore appeared adverse to following out the original decree, and James Logan, the American representative of the Penns, was fearful lest the running of the lines according to the accepted interpretation of the terms might deprive Pennsylvania of much of the territory which it was then controlling.

The increasing population in the disputed zone, stimulated by the grants of the Nottingham and Welsh tracts by William Penn in 1701, emphasized the need of some divisional line between the provinces. This need was still further accentuated by the surveys of considerable tracts of land, under the authority of Maryland, in the vicinity of Conestoga, and certain regulations enforced in the Nottingham tract by the Governor of Pennsylvania. A conference was accordingly arranged between Governors Hart and Keith who met at Colonel Hynson's house on the Eastern Shore on the 28 October, 1718. At this time it was agreed that those seated in the disputed zone should be under the jurisdiction of the province whence they received their original patent. Nothing final regarding the boundaries resulted from this conference although it doubtless temporarily relieved the tension along the border.

Incidents in England at this time were tending toward additional attempts at boundary settlements. Hannah Penn through the death of her husband had come into possession of Pennsylvania. The death of Charles, Lord Baltimore, followed by that of his son and successor Leonard Benedict, who had renounced his Roman Catholic affiliations, had restored Maryland to the Calverts and transferred the title to the youthful Charles, fifth Lord Baltimore. In Septem-

ber 1720 Hannah Penn petitioned the Lord Justices of Great Britain to pass upon her title to Pennsylvania, and to issue a peremptory order enforcing the settlement of the limits with Lord Baltimore, in accordance with the order of 1685. This petition was referred to the Commissioners of Trades and Plantations where it was held pending the minority of the young Lord Baltimore.

Boundary matters remained quiet so far as any attempt to make a settlement until the summer of 1723, when the independence of the inhabitants seated in the disputed zone forced the proprietors to attempt an agreement regarding the distribution of territory in order that taxes might be collected. As matters stood their representatives in America reported that it was impossible to collect the taxes even by armed force. In the briefs presented for the Chancery case in 1735 each party claimed that the advances for this agreement were made by the other contestant. Such documentary evidence as is now extant seems to show that both sides were ready to come to an understanding, and that there were no grounds for assuming undue eagerness on either side. The conferences resulted in an agreement signed 17 February, 1723/4, by which Charles, Lord Baltimore, agreed with Hannah Penn and the mortgagees to avoid all disturbance of all persons, and the surveying of all lands, near the boundaries for a period of 18 months, during which time it was hoped that the final boundaries would be settled. Proclamations announcing this agreement were issued in Pennsylvania and Maryland, but nothing was done to bring about a settlement of the boundary. Each side subsequently claimed that the failure of the agreement was due to the neglect of the other. In reality it was probably due to the death of Hannah Penn, the taking up of the mortgage on the part of John Penn and the other heirs, and the youthfulness of the proprietors on both sides. How far this agreement was kept during the 18 months during which it ran, is not known. In later contests charges and counter-charges were often made to the effect that it had been grossly disregarded. The documents now available clearly show that during the interval between the agreement of 1724 and that of 1732 the local representatives in Maryland and Pennsylvania pushed forward with eager and sometimes feverish haste in their attempts to gain

possession of portions of the disputed territory. The Pennsylvanians continued to survey grants in the Nottingham tract and on both sides of the Susquehanna River, while the Marylanders pushed their frontiers northward up the west bank of the Susquehanna in the country now occupied by York County Pennsylvania. At the same time both parties to the controversy, through their agents, were busily engaged in acquiring evidence favorable to their own views for the legal contest which appeared inevitable. Numerous letters still exist from James Logan to John Penn telling of the searching and transcribing of old records in Virginia and New York, and advising the young proprietor of the papers collected by his father, William Penn, during the controversy of 1683-5. These letters are full of advice regarding the way that the controversy should be handled, emphasizing the strong points in the contention, and pointing out the pitfalls to be avoided. They show that James Logan recognized the insufficiency of the Penn title to the Delaware territory based upon the deeds from James, the questionable character of Cape Henlopen twenty miles below the generally recognized point, and the uncertainty regarding the final decision respecting the rights of the Penns to the Nottingham tract which they had been granting to settlers since 1701. They show, moreover, that if they were carefully read by the recipient he could hardly have been "young & unacquainted Wth ye old Disputes in 1683-84, & '85, 1708 & y^{t} ye papers relating thereto were lost or mislaid," such, however, were the terms employed by solicitors to describe the Penns in 1731. They are applicable to the younger brothers Thomas and Richard but not to John to whom the Pennsylvania affairs had been entrusted.

Border Troubles.

The attempts to settle the boundary were inspired by a desire on the part of the proprietaries to establish their title in order that they might gain a revenue from the settlers on the disputed lands and to stop the border feuds and reprisals which had occasioned so much trouble to the provincial officers in their attempt to preserve peace and to maintain the rights of their proprietors. Border troubles were the natural outcome of the dispute regarding the location of the

boundary line, and began soon after Pennsylvania was granted to William Penn. They were, moreover, accentuated by specific lines of action on the parts of both of the contestants. During the early years while Maryland was a royal province and when Lord Baltimore was an elderly man living in England as a recluse out of favor at court, William Penn, or his agents, seized the opportunity to issue warrants for the survey of the Nottingham and Welsh* tracts. The Nottingham lots, according to the warrant, were to begin on the barrens on the North East and extend up to Octoraro Creek and the southern boundary was to be an east and west line parallel with the southern line of the province or territory, already granted a score of years earlier to George Talbott under a Maryland license. The land actually surveyed as given by Johnson, after the original plat, lies, for the most part, south of the present boundary of Maryland, and in part south of the Octoraro line run under the direction of Lord Baltimore, and recognized by him to be somewhat south of his own limits. The tract was granted by the Penns subsequent to the decision of 1685 and lies to the west of the center of the peninsula and south of the 40th degree of latitude, or in territory which had been reserved to Lord Baltimore by that decree.

The Welsh tract, granted about the same time by the Penns, lies almost entirely within the present State of Delaware, but on its western side encroached from one to two miles beyond the limits of the circle twelve miles from Newcastle and the tangent line.

The occasion for the establishment of settlers in this debatable territory is evident, as by that act the land came into the possession of friendly colonists, and their presence precluded the expansion of neighboring Maryland settlements. The question of disputed jurisdiction and the validity of the title to their homes and newly won farms, naturally led to disputes among the rough and ready frontiersmen of the day, who in their apparent loyalty to their respective proprietors were in reality protecting their own rights to their rude huts and stump-strewn fields.

The acts of the Pennsylvanians were not, however, the only ones which occasioned trouble, although they may have been the first.

*This is not the Welsh Tract just west of Philadelphia, but that near the junction of the three states of Delaware, Maryland and Pennsylvania.

Subsequent to 1714 when Lord Baltimore sent over instruments for new observations regarding the northern latitude, attempts were made to establish by settlement the rights of Maryland along the Susquehanna, particularly on its western bank. At that time the observations showed that the head of the Elk River was fully thirty miles south of the northern limits claimed by the Marylanders. The knowledge of this observation occasioned considerable uneasiness among the settlers regarding the title of their lands. In 1722 the activities of the Marylanders became more marked, and their claims more extended, their surveyors being active as far north as opposite the mouth of the Conestoga, some thirteen miles north of the present boundary of Maryland, or five miles south of 40 degrees north latitude. In the spring of 1722 Governor Keith, on a trip to the Indians at Conestoga, found them disturbed by rumors that Marylanders were planning to settle and develop some mining properties in that region. The Indians had with Pennsylvania a treaty according to which the latter were to make no surveys or settlements on the west side of the Susquehanna, but Governor Keith, out of the kindness of his heart, to allay the fears of his friends, the Indians, decided to lay off a large tract for his own use on the west side of the river at the place where Philip Syng was preparing to survey under a Maryland license. In this way it was hoped that the Marylanders might be forestalled. Finding, however, that Syng and his companions persisted in their efforts and actually surveyed the same territory for their own rights Governor Keith had the latter arrested for surveying contrary to an agreement between himself and the Governor of Maryland dated the 31st of March. In order to make the matter more secure Governor Keith issued a warrant for the survey of Springetsbury Manor for the advantage of the proprietaries. In this way he attempted to establish a prior claim to all of the territory on the west bank of the Susquehanna River northward from the mouth of Octoraro Creek. Although these surveys were made contrary to the treaty with the Indians they were justified from the Pennsylvania standpoint in that they tended to allay border controversy, and in that the territory lay far to the north of the Octoraro line which they regarded as the southern limits of their province. The aggressive

position of the Governor was not entirely sanctioned by his Council, who on the 20 June decided that the question of lands involved in the recent surveys of the Governor was outside their province but that as the extension of the Octoraro line westward, as suggested by Governor Keith, affected the interests of the people they could express the opinion that such a line ought not to be run except with the consent of the Governor of Maryland.

On the 29 August, 1723, Charles Calvert, Governor of Maryland, wrote to Governor Keith notifying him that he expected in September to go up the Susquehanna to observe the latitude at forty degrees. He received a reply from Pennsylvania to the effect that if the Maryland officials, either with, or without, the authority of their proprietor, attempted to make any observations, or run any lines north of the Octoraro, they would be strenuously opposed. At the same time a request was made that there might be a conference between the Governors before anything serious occurred. This firm stand of Governor Keith seemed to have had little, or no, effect on the Marylanders, as Governor Calvert wrote on the 19 August, that he planned to be at Baldfryar on the 9 September on his way up the river to make the observation. Fortunately before any trouble arose from this attempt at survey the agreement of 1724 was concluded between the proprietaries in England.

The more notable instances of trouble along the border arising from these aggressive efforts on the part of the respective proprietors are the Adams Short-Davy Evans case in 1721; the arrest of Messrs. Taylor and Gatchell in 1722; the arrest of the Lowe boys in 1731; the Cresap controversy in 1736-7; and that of Digg's choice in 1738.

Temporary Line of 1739-40.

The increasingly serious character of the border tumult culminating in the Cresap case led the Governor and both houses of the Assembly of Maryland to petition George II, imploring his protection and defense and such relief as should seem to him proper. The narration of incidents quickly produced an order from the King in Council to the Governors of Maryland and Pennsylvania forbidding all disorders along the boundaries, and enjoining them from

making any grants in the disputed territory. Such stringent commands stopping the granting of lands brought Lord Baltimore and the Penns together in an agreement, signed the 4 May, 1738. According to this instrument all the lands then possessed were to remain as they were and the vacant lands were to be under the jurisdiction of Pennsylvania and Maryland, respectively, until the boundaries should be finally settled according to temporary lines laid down in the agreement. The Committee for Plantation Affairs recommended the terms of the agreement and on the 25 May, 1738, the king ordered that a temporary line be drawn fifteen and a quarter miles south of Philadelphia on the east side of the Susquehanna River, and fourteen and three quarter miles south of Philadelphia on the west side, and that these were to be the limits of the two provinces until their boundary was finally fixed. The peculiar location of this boundary was due to an attempt to fix the line near that of the agreement of 1732 without giving that document any direct approval.

The receipt of the Royal Order in America was signalized by proclamations issued by the respective Governors. During the Fall of the year an unsuccessful attempt was made to run the line under the joint auspices of Maryland and Pennsylvania, but as the Marylanders did not attend at the time appointed, Governor Penn hired two surveyors from the Jerseys to lay out the lines of the agreement. They began at Philadelphia, running westward, and thence southward to the latitude specified in the agreement, and thence west to the Susquehanna River. This was an *ex parte* line and was of interest only as the first of the three lines run to determine the location of the east-west boundary between the two Provinces. In December, 1738, Lawrence Growden and Richard Peters on the part of Pennsylvania were commissioned to join Levin, Gale, and Samuel Chamberlaine, commissioners on the part of Maryland, for running the temporary line. These gentlemen met in Philadelphia on the 5th of the month, determined the position of the most southern point of Philadelphia, and discussed the methods of regulating the variations of the compass. Six days later, after having extended the line about two miles, the commissioners adjourned on account of the weather, to meet on the 5th of April, 1739, following. Beginning

the work at that time the commissioners reached a point 31 miles west of Philadelphia on the 23rd April. From this point, supposed to be of the same latitude as the southernmost point of Philadelphia, the line was to be measured south fifteen and a quarter miles according to the terms of agreement. Before this southerly line was commenced, however, a discussion arose between the commissioners as to whether the measurements should be made horizontally or superficially, according to the inequalities of the surface. The Maryland commissioners urged the latter and less usual method of mensuration, since their joint line was already eighty perches south of the corresponding line run by the Jersey surveyors, and every foot saved in the fifteen and a quarter miles meant so much more for Maryland along its entire northern border. The discussion grew somewhat acrimonious as the Maryland commissioners felt that considerable territory was at stake. On the other hand the Pennsylvania commissioners, through information acquired by their chain-carrier, Eastburn, who had been with the Jersey surveyors, knew that the difference was only twenty-five perches. A compromise was reached by the concession on the part of the Pennsylvanians of this amount. When the south line had been measured the corner was found to be no more than twenty perches south of that previously fixed by the Jersey surveyors. The westerly line was extended by the joint commissioners to the Susquehanna River, reached on the 5th May, 1739, the line running on the south side of a steep rocky point sometimes called Lindsey's Point. Before extending the line to the water's edge, at a distance back from the river of one and a half miles an offset was made to the north of a half a mile corresponding to the difference between the lines on the east and west sides of the river. The location of the more northerly line on the west bank of the Susquehanna River was indicated by a marked tree which was accepted by all as the beginning of the line on that side of the Susquehanna. When this work had been completed Mr. Gale, on account of the death of his son and the illness of other members of his family, was compelled to leave the party. His companion, Mr. Chamberlaine, did not feel warranted in going on as the only representative of Maryland. Anticipating that this might be the case, the commissioners of Pennsylvania had secured from Governor Thomas authority under

date of May 1, 1739, to proceed westward with an *ex parte* line marking the boundary between the two Provinces. This *ex parte* commission began its line at the hickory tree which had been accepted by the joint commission as the beginning of the westerly line and continued their work westward, using the same instrument and the same variation (5° 25′), until their line reached the top of the "most western hill of a range of hills called the Kittochtinny hills, 88 miles from the place of beginning." The line was stopped at this point, as the treaties between the Indians and Europeans at that time stipulated that no settlements should be made by the latter to the west of the Blue Ridge.

This Temporary Line became the accepted boundary between Maryland and Pennsylvania until the settlement of the controversy by Mason and Dixon in 1763-68. Even as late as 1773 the Maryland Assembly defines one of the county boundaries by this Temporary Boundary, which had been superseded by the Mason and Dixon line for several years.

Agreement of 1732.

The agreement of May 10, 1732, which changed the entire aspect of the controversy, and marked the beginning of the end in the long dispute between the successive proprietors, appears to have been the direct product of a petition preferred on 1 July, 1731, by Lord Baltimore to His Majesty, George II. In this petition His Majesty was asked to order the proprietor of Pennsylvania to unite forthwith with Lord Baltimore in ascertaining the boundaries between their respective Provinces, and that in case of refusal or failure to do this within a year His Majesty would be pleased to review the entire question and issue such orders as seemed proper in the case. In presenting his petition, Lord Baltimore reviewed the terms of the original charter, and something of the history of the various attempts to come to a harmonious agreement. The terms of the petition were not satisfactory to the Penns and the whole movement was claimed by them to have been but an attempt on the part of Lord Baltimore to obtain advantages through the youth and ignorance of the Penns. As stated elsewhere this charge may have applied to Richard and Thomas Penn, but was hardly applicable to John Penn, who had the

matter in charge. He was of the same age as Lord Baltimore and already for several years had had his mind directed to the questions at issue through the letters and advice of his faithful follower, James Logan.

The petition was referred to the Committee of the Privy Council for appeals from the Plantation in the Colonies, and they in turn referred it to the Committee for Trade and Plantations. Efforts were soon made to reach an amicable agreement and many meetings were held during which time the terms of the instrument were discussed. Each side claimed that the other was the initiator of attempts to reach an agreement and each claimed, subsequently, that the terms employed were those suggested by the opponent. The origin of the map upon which the lines of the agreement were determined, copies of which were later appended, not only to the agreement, but also to the commissions issued by the successive proprietors, seems to have been the chief subject of contention. According to the Penns, Lord Baltimore at one of the meetings produced the original map from his pocket and drew upon it lines denoting the manner in which he would have the boundaries run. The Penns in turn also produced a map and drew upon it the way in which they proposed that the boundaries should be laid down. This happened on the 20 July, 1731. At the time there seems to have been some dispute as to whether the northern boundary of Maryland should be fifteen or twenty miles south of Philadelphia, although afterwards Lord Baltimore swore that he did not propose or consent to such limits, but that he had always held that the northern boundary should be at 40 degrees complete. Two days later the interested parties held another meeting when the form of an agreement based upon their previous discussions was considered. It was then recognized that it would be difficult to describe the bounds in words, and that there would be an advantage in annexing to the agreement a map. This brought up the question as to which map was to be employed. According to the Penns it was the map first shown by Lord Baltimore that was ultimately adopted. In 1737 Lord Baltimore admitted that there was no material difference between the map used in the agreement and that produced by him. These facts are of interest in considering the charge subsequently made by the Baltimores that the map

inserted in the agreement was false, and intentionally so, to the advantage of the Penns. The map employed represents Cape Henlopen, one of the points mentioned in the order of 1685 and in the agreement of 1732, at a point fifteen miles south of the point now known by that name. The origin of this peculiar geographic modification has been a favorite subject of discussion by all writers on the Penn-Baltimore controversy. The apologists of Penn have regarded the interchange as one which developed through subsequent ages and attempts have been made to give etymological explanations involving two capes of approximately the same name, Cape Loopen applied to the southern, or false cape, and Cape Inloopen to the present cape. This is the explanation of James Logan, whose correspondence shows that he recognized the extreme difficulty in placing the bounds where they were of most advantage to his proprietor. Bozman suggested that the confusion arose by the prefix of the aspirate which in the Swedish would change the meaning of the word Inlopen from the interior to the exterior cape. Many other explanations have been given as to the cause of this curious transposition. The fact that the term was used loosely seems now to be established. The explanations based on different spellings appear to be unwarranted since variations are found in single documents where only a single spot is under discussion. The work of Asher on the Visscher map and its descendants shows the accepted usage of the Dutch cartographers during the seventeenth century to have been as urged by the Penns. The English maps at that time followed Smith and Visscher. The Swedish map of Lindstrom, 1655(?) is doubtful, but apparently follows modern usage. The Herman map of 1670 clearly represents the present cape and probably the modern usage began about that time. The decision of 1685 was based on the Visscher* map and its terms must

*The map used before the Privy Council in 1685, with autograph note by W. P., was offered in the Coleman sale of 1870 along with the Penn MSS. purchased by the Pennsylvania Historical Society. It was subsequently listed by Allen in 1872 and by Ellis in 1883. Since this report was written this old map has reappeared in the market. Messrs. Dodd, Mead & Co., who offer it in their catalogue of April, 1908, write that it is now owned by a foreign correspondent, who gained possession of it about 1904. Although the price of the map in the meantime has materially increased it is to be hoped that some library like that of the Pennsylvania Historical Society may secure it, since it is the means of disproving one of the most serious charges made against the Penns during the entire controversy.

be interpreted accordingly. The change in usage is a natural one. The well-known term Cape Henlopen with its various spellings, at first used loosely, became fixed finally on the single well-defined geographical point. The accurate usage of the present was delayed by the error of the Visscher maps. The decision of 1685 occurred during the period of uncertain usage, that of 1750, generations after the modern usage had been unified.

Commission of 1732.

The agreement of 1732 authorized the appointment of commissioners by the respective parties to it who were to be given power sufficient to execute all that had been agreed upon. Commissions identical in terms, except so far as differences in authors and recipients required modification, were issued by the Penns and Lord Baltimore, and were immediately dispatched to America on the same vessel with Thomas Penn, reaching there the 19 August, Governor Ogle receiving his four days later. In the letter accompanying the commissions and a copy of the agreement, Governor Gordon of Pennsylvania expressed the hope that they might speedily commence the fulfillment of their exacting duties, and suggested that the most satisfactory place for meetings would be at Newcastle. Governor Ogle in turn suggested that the first meeting be held at Newtown (Chestertown), Maryland, on 6 October. The first meeting was actually held in accordance with this suggestion. Six other meetings of the joint commission were held before the eighteen months specified in the agreement elapsed. Most of the time at the meetings was spent in the discussion of two questions, and the rest of the time was spent in mutual innuendoes as to the real intent of the commissioners respecting the fulfillment of the terms of the agreement. The most prominent characters in the commissions were Governors Gordon of Pennsylvania and Ogle of Maryland, men who had seen long service in the British army, and who had but recently been appointed Governors of their respective Provinces. Governor Gordon, appointed Governor of Pennsylvania in 1726, was a sturdy old gentleman approaching ninety years of age when the meetings were held. Governor Ogle was somewhat younger, a man of character and matur-

ity. At their first meeting at Newtown the Pennsylvania commissioners announced their readiness to proceed with the survey of the boundaries, but the Maryland commissioners asked an adjournment until the 30th of the month on account of the illness of their surveyor.

From their first meeting at Newcastle on 17 October, 1732, until the 24 November, 1733, the commissioners met four times at Newcastle, once at Joppa and once in Philadelphia. Two questions were the occasion of all their discussions. The first developed on the 30 October, when the commissioners re-assembled at Newcastle. At the time Governor Ogle, admitting that he was empowered to lay off the circle, said he could not see any power granted him to determine the center of such a circle. The Pennsylvanians held that the greater included the less, nevertheless, they allowed an adjournment until February 1, 1732/3, on account of the expected arrival of Lord Baltimore and the opportunity thereby afforded the Maryland commissioners to confer with their principal as to the powers delegated by him to them. On the 1 February, when the commissioners met again at Newcastle, Governor Ogle attempted to renew the discussion as to the powers of the commissioners to determine the center of the circle. He was, however, forced to waive the question by the Pennsylvania commissioners who had held consistently to the view that they were empowered to do everything necessary for surveying the circle. The second question related entirely to the size of the 12 miles circle around Newcastle. The conception of such a circle originated in the agreement from the terms of the original deeds of feoffment passed from the Duke of York to William Penn in 1682. In the agreement, however, the phrase employed was a little more explicit, in that the circle was said to be of 12 miles radius. The Maryland commissioners took the position that the later papers were drawn upon the older, that the introduction of the more definite description was an inadvertency, and that the original circle about Newcastle had been thought of as of 12 miles in circumference (that is less than two miles in radius), and not 12 miles distant from Newcastle. The Pennsylvanians in turn held to the sounder position that the commissions actually called for a circle with 12 miles radius,

that they must obey this even if the proprietors had made a mistake, and that, in all probability, no mistake had been made, as the original feoffments were clearly based on a circle of 12 miles radius. This question was discussed over and over again in the various meetings. Finally on the 24 November, 1733, with less than a month remaining of the life of the agreement, the commissioners signed a joint note stating that they found themselves unable to agree sufficiently to make the first step in the actual survey of the boundaries.

The presence of a penalty clause involving the payment of £5,000 by the party who failed to conform to the agreement caused the commissioners on both sides to be careful of their actions in order that they might not be penalized therefor. At the same time there seems to have been a half acknowledged desire on the part of the Marylanders that the attempts of the settlement should come to nought. The Penns in subsequent papers go so far as to accuse the commissioners of being interested in large tracts of land lying in the disputed zone and of being ready to re-emburse Lord Baltimore if a penalty should be incurred by any failure to carry out the agreement. Apparently with this end in view the Marylanders seized an opportune breaking of the quorum by the Pennsylvanian commissioners as the occasion for the adjournment, with the *onus* of failure resting upon the Pennsylvanians. The actual facts in the case are not quite clear, as there was much later recrimination on both sides. The Marylanders claimed that the absence of the Pennsylvanian commissioners was a carefully concerted move on their part when it was found that the Marylanders were ready to settle down to business. Even more serious charges were made by the attorneys of the Penns in preparing their brief for the famous Chancery case involving the honesty of Lord Baltimore, who was charged with connivance, if not actual instigation, of this attempt to break up the proceedings. This, however, was subsequently denied by Lord Baltimore on his oath. The incident probably arose from the over-zealous action of his commissioners who appeared to have received no reprimand from their superior.

Petition of August 8, 1734.

No account of the failure of the commissioners to reach a harmonious action seems to have reached Europe until late in the succeeding Spring, when the accounts were accompanied by rumors of unrest and disturbance along the borders. The state of the province was such that John Penn embarked for America on 9 July, in the hope of quieting his people. Within a month Lord Baltimore presented a petition to His Majesty requesting a confirmation of his charter. The petition in turn was referred to the Committee of Trades and Plantations. A hearing was appointed for the 10th day of December, 1734. The Penns claim that Lord Baltimore seized the opportunity to present this petition during the absence of the older Penns and that the petition was artfully worded in its narration of the history of the case. Lord Baltimore in reply has sworn that he did not know that John Penn had gone to America and that the petition had been presented without regard to Thomas Penn's absence as soon as he, Lord Baltimore, could arrange matters after his return from Maryland. The charge that the statements of the petition were insincere was also answered by Lord Baltimore in the same document in 1737. Neither party had occasion to criticise the other in the artful omission, or modification, of pertinent facts. They appear to have been about equally successful and equally persistent in their efforts to mislead their auditors.

The petition of August, 1734, was taken into consideration on the 10th September, 16th and 21st October, 20th and 31st of December, at which times Mr. Paris was actually if not officially, present as the representative of the Penns. He apparently appeared for the plaintiffs on the 16th of October and he was present with Richard Penn on the 21st of October, when he secured an adjournment until the 30th of December. At the hearing on the latter date, as well as that held eleven days later, Mr. Paris was also present in his private capacity, according to the statements of Lord Baltimore, although one might infer from a brief, doubtless prepared by Mr. Paris himself, in the early part of 1735, that the hearings had been in secret behind closed doors. On the 16th of January, 1735, the Committee

of Trades and Plantations made their report to His Majesty to the effect that since the Penns had refused to present their own case they had examined the several facts mentioned in the petition and that they found no reason to doubt that the lands were comprised within the limits of the Maryland charter of 1632, and that they had found in the ancient records of their office the Order of Council of 4th of April, 1638, and that the limiting clause *hactenus inculta* was not inserted by way of restriction, and that in case the rights to this land were still in the crown they recommended Baltimore to His Majesty's favor. This report and the original petition were referred by His Majesty to his Privy Council. While it was under their consideration Mr. Paris presented a petition setting up a title to the Three Lower Counties but praying they might not be obliged to set forth the same. This petition also asked that that of Lord Baltimore might be dismissed and that the possession and title of the Penns might be confirmed. A hearing was finally ordered on 2 May, 1735, when it was brought out that Lord Baltimore was bound by the agreement of 1732. On 10 May the Council made a report to His Majesty, who on 16 May, 1735, ordered that the consideration of the various petitions and reports should be adjourned to the end of Michaelmas term, and that either party might have opportunity to obtain relief in a Court of Equity. This Order led to the famous Chancery suit which began with the filing of a bill on 21 June, 1735, and ended with the decision of the Lord High Chancellor 15 May, 1750.

The Chancery Case, 1735-1750.

One who would understand the detail of the Chancery Suit by which the Penns sought to obtain a specific execution of the agreement of 1732, must go at once to the consideration of the documents connected with the case which dragged its weary course for fifteen years through an intricate labyrinth of historical and legal details. All of the general papers relating to the case are available and the bills of the Penns, together with the documentary evidence which they presented, have been published in the sixteenth volume of the second series of the Pennsylvania Archives. Some of the evidence for the Baltimores has been preserved and partially published, but

it is a matter of regret to all who would learn both sides of the case in their entirety, that the evidence now generally available is so one-sided.

In reading the published papers in the Pennsylvania Archives one must constantly bear in mind the fact that the annotations are strongly partisan and often lead to conclusions at variance with the facts as now known. Similar partisan notes of opposite tenor may be seen in the manuscript copies of the same documents among the Calvert Papers.

An attempt is made in the following pages to present, succinctly and free from all minor details, a simple statement of the progress of the legal contest which ultimately led to the running of the Mason and Dixon line.

The permission, or suggestion, of the Privy Council that either of the contestants might try their success by a suit in equity was speedily adopted by the Penns, who on the 21 June, 1735, within five weeks of the date when permission was granted, filed a lengthy and exhaustive bill in Chancery for the specific execution of the agreement signed by Lord Baltimore May 10, 1732. This document is a mine of information regarding the entire controversy and appears to be a model in completeness and brevity, considering the mass of information involved in the case. To this are appended a list of nearly a hundred questions which Lord Baltimore, as defendant, is asked to answer and several prayers in favor of the plaintiffs. Four days later Lord Baltimore was served with a notice to answer this extended charge. On 1 July, ten days after the Bill was filed, the Penns asked for and received an order of sequestration against Lord Baltimore on the ground of the latter's non-appearance. On 29 July a similar order was received on account of Lord Baltimore's failure to file an answer. The bill, as filed, contained many serious charges against Lord Baltimore, who on 2 August prayed for and obtained an order to refer the bill to a master in Chancery on the ground of scandal and impertinence. The Penns in turn, two months later (October 11), obtained an order that the master proceed in the case. We find that in about a year after the Bill was originally filed Master Eld reported on 25 May, 1736, that the Bill was neither scandalous

nor impertinent. Towards the close of that year, on 18 December, the Penns received permission to amend their original Bill, and on 15 June, 1737, almost two years after the Bill was filed Lord Baltimore answered the questions therein proposed. The papers prepared by the solicitors of the Penns and Lord Baltimore, as represented by the Bill and its answer, show considerable difference in the ability with which the case is handled. The presentation of the Penns is plausible and in accord with the historic facts as they are now known to us, while that sworn to by Lord Baltimore appears to carry less weight and is less accurate. By it Lord Baltimore is led to several positions which are scarcely tenable, as when he denies that the Three Lower Counties were ever called, or esteemed, as belonging to Pennsylvania, or that William Penn was ever in quiet possession of any part of them; or where he sees no difference between running a circle two miles distant from Newcastle and the circle described in the agreement. He is also made to say that Pennsylvania and the Three Lower Counties are on the east side of the Delaware. The Penns took nearly a year in which to reply to Lord Baltimore's answer, their response being filed on 20 April, 1738. To this apparently Lord Baltimore did not reply and he was served on 27 November with a subpoena to make a rejoinder to the Penns.

Realizing that the case was to be stubbornly contested on both sides and that the witnesses who knew anything of the conditions when the controversy first arose, must now be aged and soon unavailable as sources of evidence, the Penns and the Baltimores were authorized on 8 February, 1739, to take evidence in America, the Penns at Philadelphia and Newcastle, Lord Baltimore in Maryland. The latter commission was modified on 13 March to allow the taking of testimony at Annapolis, elsewhere in Maryland, or in the Three Lower Counties. The Baltimore commission was executed between 9 April and 18 September, 1740, while that of the Penns was executed from October 20 to November 28. These commissions were respectively returned to Lord Baltimore on the 16 January, 1741, and to the Penns on 30 July, following. On 14 February and 28 April, 1742, the Penns obtained orders to enlarge the time of publication and on the 17 of June and 13 of July, following, Lord Baltimore's solicitors

received similar orders. Publication was finally passed on August 11, 1742.

Subsequent to the hearing in Chancery upon these depositions Lord Baltimore's solicitors found in the Record Office a copy of the Order of 4 April, 1638, which neither they nor the keeper, Mr. Gallibrand, had been able to find when the search was made the preceding Summer. Permission was accordingly given for the examination of witnesses regarding this order on the 9 June, 1743. A little later the solicitors agreed to extend still further the time for taking testimony, and on 26 October, 1743, Lord Baltimore was allowed to amend the case, making the Attorney General a party to it. Nothing more seems to have been done until after the death of John Penn, which occurred on the 16 October, 1746. A hearing was held ten days later, but was immediately adjourned on account of the absence of the Attorney General and the endorsers of the agreement. On 14 May, 1747, the Penns filed a Supplemental Bill and a Bill of Revisor which was answered by Lord Baltimore six months later. The introduction of this new bill occasioned the examination of new witnesses and further dilatory movements on the part of Baltimore which seem to have occupied the time from 1747 until 1750, when on the 15 May, 1750, Lord Hardwicke issued his decree as High Chancellor requiring the specific performance of the agreement of 1732.

Lord Hardwicke's Decision.

The decision of the Chancellor was preceded by an extensive review of the case and the reasons for the conclusion which he reached. Abstracts of this argument are found among the Calvert Papers and the position of the Chancellor may be summarized as follows:

The bill prayed for the specific performance of the Articles of Agreement signed on May 10, 1732 and the Chancellor argued that relief should be granted unless it were shown (1) that the Court lacked jurisdiction; (2) that the agreement was not proper because of its effect on the rights of the Crown; (3) that it affected the rights of the people; or (4) that it was improper for one of the following reasons: Because the agreement in itself was voluntary. Because

the time limit had elapsed. Because the agreement was in the nature of submission to an arbitration in which there had been no award. Because it was void on account of an imposition on the defendants in that the latter had been mistaken in respect to their original rights. Because the terms of the agreement were in themselves uncertain. Because the Penns had no rights entitling them to an agreement, or because the Court could not make the degree effectual if one were issued.

The Chancellor argued that the Court possessed sufficient jurisdiction since both parties had submitted the questions to it and from the fact that the agreement, although dealing with lands in America, had been executed in England. In the same manner the argument that there was no occasion why relief should not be granted on account of any effect upon the rights of the Crown or the people as the former had ordered a division by the acts of 1685 and 1709 and the people were left in possession of their private rights. Likewise all of the eight reasons assigned why the original agreement was improper were discussed and decided adverse to the defendants. It is usually said, and rightly so, that this decision of 1750 was one of specific performance of the agreement of 1732 and that it did not touch upon the original rights of the contestants. The Chancellor, however, did discuss to some extent the question of imposition and possible mistakes on the part of the defendant with respect to his original rights, and the position was taken by the Chancellor that the Privy Council appeared to be in the right in its interpretation of the limiting clause of the preamble of the Maryland charter, and that the locations of the Capes were correct as stated by the plaintiffs. His argument was based upon the fact that these were the locations given on the maps of Visscher, Bleau, Ogilvy, and DeLuet. It is now known that these locations arose from error on the part of Visscher which was repeated time and again until the incorrect locations were assumed in Europe to be the proper ones.

At the close of his argument the Chancellor decreed that the agreement of 1732 should be fulfilled and that the specific performance of the agreement should include the appointment of commissioners within three months who were to be authorized to run and lay out the part of a circle and the several lines called for in the original Arti-

cles. Their work was ordered to be completed by the last day of April, 1752. After their work had been completed the proprietors were to take the second step towards the performance of the agreement by the execution of mutual deeds of release and conveyance wherever necessary at the cost of the party to whom such a release should be made. The Chancellor further allowed both parties liberty to apply to the Court whenever occasion demanded. The final point of the decree dealt with the adjustment of costs of this long-drawn-out and expensive suit. The Plaintiffs were ordered to pay to the Earl of Pullot his costs incurred as a defendant, while Lord Baltimore was ordered to pay to the Penns all costs incurred to the date of the decree.

In the course of the document the Chancellor decided three questions which had been occasions of difficulty with the Commissioners of 1732, holding that the center of the circle should be in the middle of the town of Newcastle; that this circle should be of a radius or semi-diameter of 12 miles; and that "Cape Henlopen ought to be deemed and taken to be situated at the place where the same is laid down and described in the Map or Plan annexed" to the Articles of Agreement.

Survey of the Transpeninsular Line, 1750.

The decree issued by Lord Hardwicke authorized the appointment of commissioners for the carrying out of the original agreement. Commissions were accordingly issued by the proprietors on the last of June, following. According to these documents the commissioners were authorized to supervise the running of a transpeninsular line from "Cape Henlopen" (Fenwick's Island) to the Chesapeake, and from the middle point of the same to run a meridian line northward as a try line to determine the relations between the middle point and the center of Newcastle. They were also authorized to run a due east and west line fifteen miles south of Philadelphia. The commissioners met at Newcastle, Delaware, on 15 November, 1750, and organized by the reading of their commissions and the appointment of two clerks, who were to keep two sets of the minutes. They decided that the first thing to do was to find the center of Newcastle

and arranged that the Baltimore surveyors should survey the town while those representing Penn should attend and take the notes. This was done accordingly, and the center of the town and circle was agreed upon as at the courthouse. When this was done the method of locating the circle was discussed. The Pennsylvanians held that the circle should be determined by a series of chords subtending each degree of the arc. The Marylanders appear to have suggested the very impracticable method of running a series of radii from the courthouse. The old question of 1739 as to whether the miles should be measured horizontally or superficially also arose. Care had been taken by Lord Hardwicke to specify that the miles should be English statute miles, but the commissioners wrangled as to whether statute miles were measured horizontally or superficially. The Pennsylvania commissioners finally suggested that two lines be run, one measured superficially, the other horizontally, and that they then await the final decision. The Marylanders objected to the running of such *ex parte* lines and suggested that the commissions be examined, all possible sources of disagreement discussed, and that further instructions be asked upon matters in dispute. They finally compromised by agreeing to meet at Cape Henlopen and mark the beginning of the transpeninsula line. Even this was later modified to an agreement that two surveyors should go to Cape Henlopen and settle the variation of the compass and begin the running of the line westward to the Chesapeake. The commissioners were to meet at Cape Henlopen in December. The surveyors had a sorry time in their efforts to start the line, as there were serious storms and their temporary cabin on Fenwick Island was burned, leaving them only partially clad on a cold wintry night. They stayed there, however, and took successful observations at five o'clock on the following morning. They succeeded during the twenty-two days that they were on the work in clearing a line some six miles west from Fenwick's Island. Then the surveyors of both sides declined to proceed further on account of the season. The following Spring, on 22 April, 1751, the commissioners and surveyors met and considered the point of beginning of Cape Henlopen. They finally decided to take the line already run by the surveyors, who, according to the statement of one

John Bowden, quoted by John Watson, had started this line from an old stake which had been set up for the making of drum lines, but which the commissioners and surveyors evidently regarded as an early land mark. On the 27 of the month the surveyors were sworn in and began their work, which they extended westward until June 12, when at a distance of 66 miles they reached Slaughter Creek, a tributary of the Chesapeake cutting off James, or Taylor Island. Three days later, at a distance of sixty-nine miles, 298 perches, they came to the eastern side of Chesapeake Bay. On the following day their work was approved by the commissioners. The Maryland commissioners contended, however, that as Taylor's Island was entirely surrounded by water, it was not a part of the peninsula and that the line should stop at Slaughter Creek. The Pennsylvania commissioners, on the other hand, held that as Slaughter Creek was but two feet deep at low water it should not be regarded as a part of Chesapeake Bay. The commissioners agreed to refer the question to the Lord High Chancellor and thereby avoid any delay. They then adjourned to await the decision of the Lord Chancellor and further instructions from their proprietors. Accordingly nothing more was done for the next ten years, as Charles, Fifth Lord Baltimore, had died in England while the line was being run.

The death of Lord Baltimore introduced new legal difficulties delaying the settlement of the boundary dispute. In his will the proprietary rights in Maryland were bequeathed to his daughter and not to his son, Frederick, who inherited the title. Such a separation of the property from the title was the occasion for legal conflict, and it was ultimately decided that Charles, Lord Baltimore, had no right to devise the property away from the title. An even more serious occasion for delay arose in the refusal of the young Lord Baltimore to be bound by any agreements of his predecessors, on the ground that Charles by his marriage articles had been only a tenant for life, while Frederick was a tenant entail. Even Mr. Paris, Penn's solicitor, appears to have accepted the legality of such an argument. Frederick, Lord Baltimore, was at the time in his minority and under the guidance of his uncle, Cecilius Calvert. On this account we find that an attempt to settle the boundary was opposed on account of the minority

of his Lordship. On the 30 June, 1752, the Penns petitioned the King to appoint suitable persons to join with their commissioners in ascertaining the proper boundary lines. At the same time a petition was offered in which Lord Baltimore asked that the Penns be obliged to join him in ascertaining the boundary. Late in the year Lord Baltimore's guardian urged that the whole discussion be postponed until his Lordship attained his majority.

The Agreement of 1760.

Both parties appeared to have been ready to come to some agreement but were at odds as to the terms. The Penns were anxious to retain all the advantages gained from the agreement of 1732, while Lord Baltimore, recognizing that his father had been bettered in that agreement, hoped to regain some of the points lost by his father. As early as the first of May, 1753, there were suggestions regarding the arranging of a new agreement and some discussion as to the terms to be employed. But matters, however, did not move with sufficient rapidity to suit the Penns, who on the 8th of November, 1754, filed a bill of Revisor against Lord Baltimore on which an order was issued on the 21 November, following. Towards the last of March in the following year, Lord Baltimore, through his solicitors, filed his plea to this Bill of Revisor and on 16 of May, following, the plaintiffs were ordered to file an amended bill. This was done on 17 September, 1755. A year later Baltimore made answer to the bill thus amended. In this answer Lord Baltimore denies the accusation laid by the bill and states that he is willing to quit his claim to any rights he may have in the questions of the transpeninsula survey if the Penns will relinquish all title to cost against Lord Baltimore or his heirs, and that if this were done all the lawsuits should end and that each should pay his own lawyer's bill. In accordance with these suggestions a draft of an agreement between the Penns and Lord Baltimore was made as early as the summer of 1757, which after some slight modifications reached its final form on the 4 July, 1760. It was properly engrossed on parchment, and signed on the 17 July, 1760.

During the ten years from the survey of the transpeninsula line to the signing of this new agreement by the contending proprietors, the Lord High Chancellor had expressed his opinion in favor of horizontal versus superficial lines, and the circle with the twelve-mile radius about Newcastle, whose center should be at the court house in that town. Everything, therefore, was in order for attempting once more the running of the line between the respective Provinces. Commissions were accordingly issued on the 5 July, 1760, by the respective proprietors authorizing their representatives in America to carry out the terms of the agreement of July 4.

Surveys Under the Agreement of 1760.

The commissions from the proprietors were received in America in September and arrangements were made at once for a joint meeting of the commissioners. Their first meeting was held on the 19 November, 1760, and their final meeting was held November 9, 1768, the term of the commissions having been enlarged from time to time. There appears at the present time to be but one complete original copy of the minutes of these commissions which is filed in the Land Office at Annapolis, Maryland. There are, however, many partial records, or manuscript copies, among the Penn manuscripts in the Pennsylvania Historical Society, and the Calvert Papers in the Maryland Historical Society. The journals of the surveyors are also preserved either in their original form or as contemporaneous copies, and it is possible to trace the movements of the workers and the progress of the various lines from day to day through the seven years required to reach a final settlement. This has been done by the writers, but any one wishing such detail must go to the original authorities, as no attempt will be made to give other than a general survey of the work in the following pages.*

The commissioners met at Newcastle on the 19 August, 1760, and organized, by an interchange of credentials and the appointment of clerks. Two days later, after considerable discussion, they had agreed to fix the middle point of the transpeninsula line, and to run

*A few details regarding the Mason and Dixon survey may be gleaned from the Engineer's report preceding.

a true meridian, or north line, thence until it was intersected by a line run from the center of Newcastle in such a way as to avoid the Delaware River. From the length of these two lines and the angle of their intersection they proposed to determine the true course of the tangent line starting from the middle point and of the radius

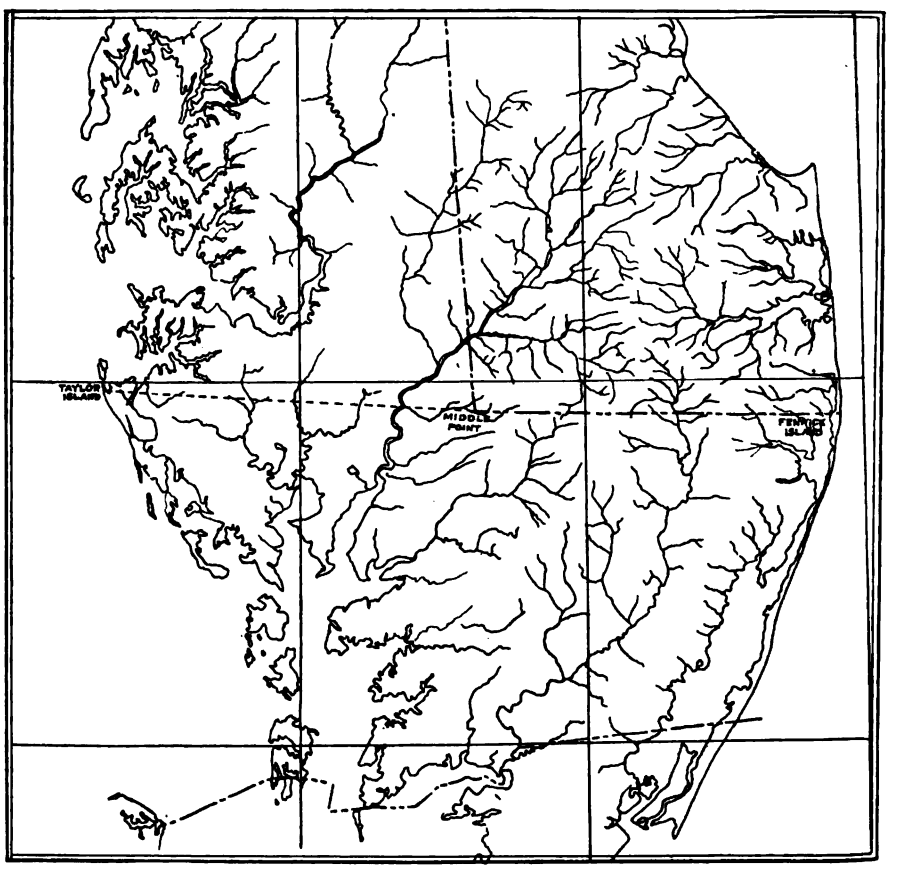


FIG. 8. Map showing transpeninsular line and "middle point."

from the center of Newcastle to the point of tangency. Three days more were spent in discussing this same question. On the 24, the commissioners expressed their conclusions in the form of eight resolutions respecting the work to be done and the manner in which this

was to be accomplished. Then they adjourned to meet at a subsequent date near the middle point of the transpeninsula line.

ESTABLISHMENT OF THE MIDDLE POINT.

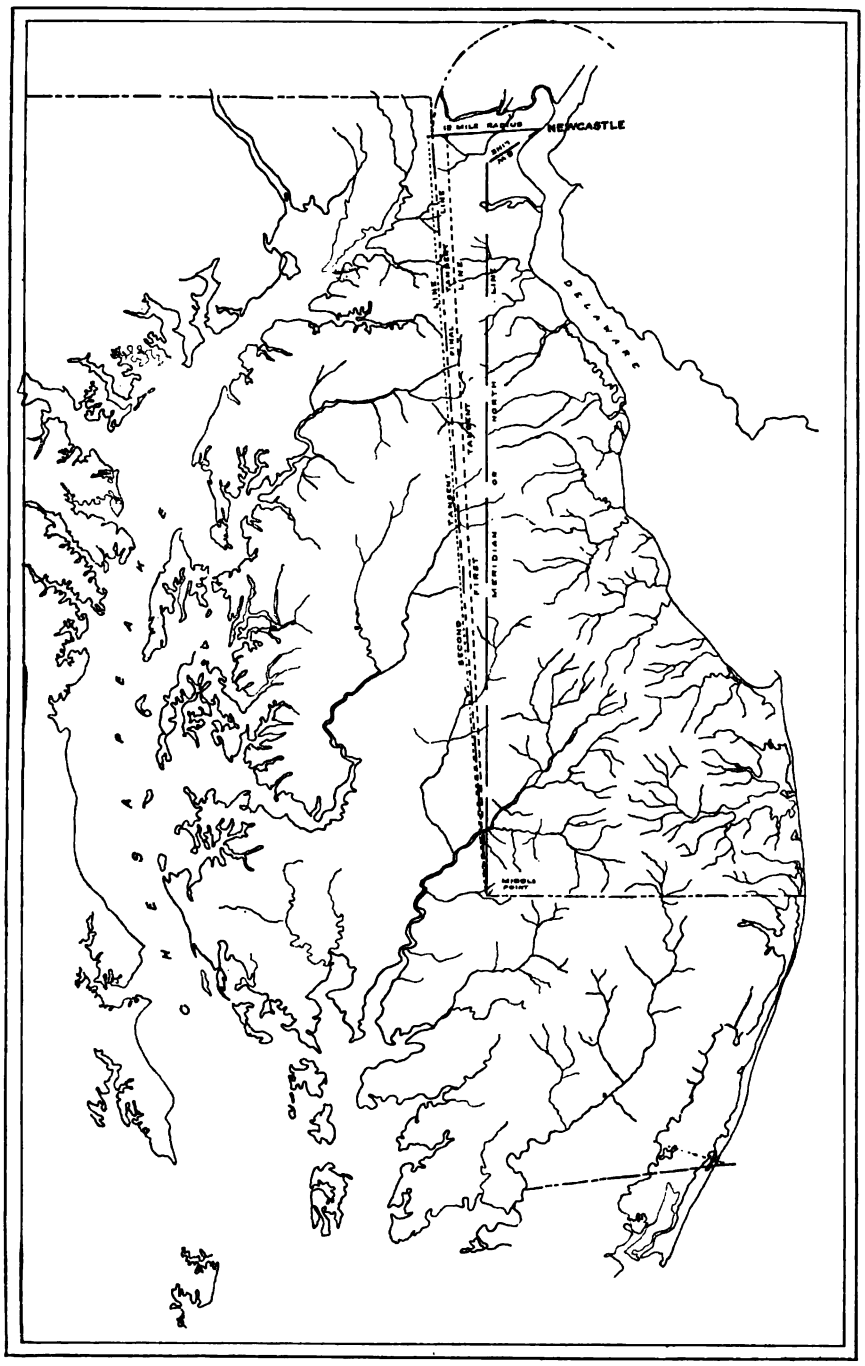
When the surveyors of 1751 ran the transpeninsula line they found the distance from Fenwick's Island on the east to James Island on the west to be 69 miles, 298 perches, a value a mile and a quarter greater than the actual distance. This error was evenly distributed, due to imperfect chaining, so that the methods employed by the commissioners in 1760 were not as disadvantageous to Maryland interests as might at first appear. Assuming the value obtained by the commissioners of 1751, those of the 1760 proceeded to locate the Middle Point by going to the 35-mile post and finding a point 11 perches east of the same where they put up a white oak post at an apparent distance of 34 miles and 309 perches from either shore of the peninsula. Several days were spent in marking permanently the Middle Point and in determining the true meridian for which two observations were made. On the 11 December final instructions were given to the surveyors to run a north line until it should intersect with the line from Newcastle, which they were also authorized to run. They were not, however, to endanger their health by continuing the work throughout the Winter but were allowed to stop if the weather became severe.

RUNNING OF THE MERIDIAN LINE.

The first attempt. The day after the commissioners left on 12 December, 1760, the surveyors commenced to run the meridian line northward. They continued in this work for a week when they reached the swamps along the Nanticoke River having run a line six miles and 37½ chains northward from the Middle Point. Here they stopped their work and returned their minutes to their respective governors.

The second attempt. The commissioners met in joint session at Chestertown, Maryland, on 25 March, 1761, and examined the records of the work done the preceding Fall. Finding that the sur-

veyors had not deviated from the meridian of the Middle Point, they ordered them to assemble on the 15th of April and to proceed with the running of the line from the point where they had left off. Accordingly the surveyors assembled at the Nanticoke River and extended the line from that point to the 25th mile post which they reached on 12 June, 1761. At this point they were obliged to give up the work temporarily, because the star Alioth, by which they had been taking their meridian directions, could no longer be used, as it passed the meridian in the day time. The commissioners at their meeting on the 25th found that the measurements of the surveyors did not quite tally and accordingly instructed the latter to return and review their line. They were directed also to meet at the place where they had last taken a meridian observation, and take another by the use of some other star than Alioth. If the new meridian coincided with that already run they were to proceed northward up the peninsula. If, however, they found any discrepancy they were to wait until Alioth might be observed again. On 6 August, 1761, the surveyors proceeded to continue the meridian line northward and on the 24 October they reported to the commissioners who had been waiting for them at Newcastle that they had run the line 80 miles north of the Middle Point, and that they hoped to finish the line of intersection from Newcastle in a few days. On 6 November the lines were completed and were found to intersect at an angle of 113° 36′ at a point seven miles, thirty-nine and ninety-seven hundreds chains, from the center of Newcastle, and 79 miles 52 chains from the Middle Point. From these figures it was estimated that the tangent line would make an angle of three degrees thirty-two minutes and five seconds westerly from the meridian line, and that the radius from Newcastle to the tangent point should be 19 degrees, 3 minutes, and 55 seconds north of the southwesterly intersection line already run. The commissioners accordingly gave instruction on the 7 November for the surveyors to run the radius 12 miles on the course indicated, and to mark the same at various points. On 28 November following the surveyors report that they had set up a post marked $\frac{M}{XII}$ which in their opinion was "12 English statute miles, horizontal measure, distance from the spire of the court house to New Castle."



MAP SHOWING LINES RUN TO DETERMINE TANGENT POINT.

During the following days the line was re-measured from the post to Newcastle. The field party broke up on 2 December, 1761.

LOCATION OF THE TANGENT LINE.

First attempt. In the following Spring the surveyors repaired to the Middle Point and began on May 31, the running of the tangent line. The location of this line was checked by the offsets directed by the commissioners southwesterly from the first and fifth mile post on the meridian line. As the work progressed other off-sets were made from the meridian line to the tangent. Work progressed steadily, though with frequent difficulties on account of the swampy territory, until September 9, at which time the surveyors had run and marked a line 81 miles, 74 chains and 65 links. This line intersected the 12 mile radius, previously described, 33 chains and 76 links, or nearly half a mile, east of the post marked $\frac{M}{XII}$ where they had hoped to intersect. Moreover, the angle of intersection was found to be 26 minutes larger than the required right angle.

Second attempt. The error in running the first tangent line had exceeded the limit set by the commissioners by the time the 15th mile post had been passed, but the commissioners to whom this fact had been reported evidently thought the errors were in the meridian line and that if the tangent line were continued it would not vary greatly from the line desired. The failure on the part of the first line was reported to the commissioners on the 15th of September, when a slight disagreement arose as to whether they should report the results of this work and proceed to other lines, as suggested by the Maryland commissioners, should revise their calculations, or run a new tangent line as suggested by the Pennsylvanians, who recognized the possibility of the try line being accepted with the consequent loss of a narrow wedge from the Three Lower Counties. On 17 September the surveyors were finally instructed to return to the Middle Point and to make an off-set at the five-mile post equal to 17 minutes 41½ seconds. They were then to go to the post marked $\frac{M}{XII}$ and set off an angle of 89 degrees, 55′ 43 seconds, with the radius and on this course extend a line northward 157 feet 8 inches, where they were to fix a post marked $\frac{T}{XII}$. These instruc-

tions were carried out. In the latter portion of the year the surveyors were occupied in running a new tangent line northward to conform to the new point which had been determined as above described. This was not, however, completed until the following Spring. Then their line was continued northward reaching the westerly radius from Newcastle on 19 August, 1763. Here they found that the new tangent line passed 5 chains and 25 links to the westward of the post marked $\frac{M}{XII}$. By computation they found that their true tangent line was about 2¾ minutes easterly. This was much better than the former attempt and might, perhaps, have been accepted if it had not been for the fact that the commissioners had received word from England of the appointment of the two mathematicians, astronomers, or surveyors, Charles Mason and Jeremiah Dixon, who were to come over and assist them in running the lines. With this information before them the commissioners decided to delay making any reports to their proprietors regarding the lines already run until they had had a conference with the mathematicians. This decision was reached on the 22 October, 1763, at the conclusion of a meeting of the commissioners held at Georgetown. They adjourned to meet in Philadelphia in the following month.

Charles Mason and Jeremiah Dixon.

While the work was being pushed with considerable energy in America, following the signing of the decree in 1760, little seems to have been done in England. But one of the two principal movements made by the proprietors was of particularly noteworthy character—the employment of Messrs. Charles Mason and Jeremiah Dixon; the other was of minor importance, and was doubtless due to the reporting of certain disputes regarding the methods of the work and the accuracy of the lines carried on by the commissioners in America. The Penns seemed to have gained the impression that Lord Baltimore was not doing his share to carry out the agreement; accordingly they made formal complaint that Lord Baltimore had refused to perform the agreement of 1760. An answer was filed against this charge in the early part of 1762. The proprietors

finally united in a petition for the confirmation of their agreement of 1760.

Attempts have been made by Mr. Burchard to gain some additional information regarding both the character of the surveyors whose names have become household words and the conditions under which they were selected to make the survey of the boundary line. To this end Mr. Robert Harrison, an assistant secretary of the Royal Society, searched the Council Minutes of that Society from 1760 to the end of 1765 in an effort to see if these gentlemen had been nominated, or appointed, by that organization, which was interested in their work and appropriated funds for the determination of the length of a degree of latitude in America along the tangent line. The search, however, was unsuccessful. It seems on the whole most probable that the two men were employed by the proprietors of the two Provinces in a private capacity on the recommendation of Mr. Makeleyne, the Astronomer Royal, with whom the astronomers had previously worked.

Little, or nothing, is known of the personal history of Messrs. Mason and Dixon beyond the fact that they had been employed in making observations of an eclipse in Africa whither they had been driven by the force of circumstances on a journey to India undertaken for the same purpose. Mr. Latrobe in his History of the Mason and Dixon Line has attempted to draw some conclusions from the signatures which appear so frequently throughout the Journal. From these he inferred "that Mason was a cool, deliberate, painstaking man, a man of quiet courage," and that Dixon "was a younger man, a more active man, a man of an impatient spirit and of nervous temperament, just such a man as sober-sided colleague." Dunlop furnishes the additional information that Mr. Mason after some years in Europe at work on astronomical tables returned to America with his wife and eight small children, where he died, in Philadelphia, in 1787. Dixon died in England ten years earlier.

The engagement of Messrs. Mason and Dixon was decided upon on the 20 June, 1763. It was therefore not the result of the failure of the local surveyors to run an accurate tangent line on their second attempt. It seems rather to have been the result of a letter written by the Pennsylvania commissioners in the Fall of 1761 in which they

strongly set forth the difficulties and efforts of the local surveyors. A rough draft of an agreement between the proprietors and the surveyors is extant dated 20 July, but it was not until 4 August following that this reciprocal agreement was signed by Mason and Dixon and the proprietors. The disinterested character of the two surveyors with respect to the relative rights of the proprietors has been accepted usually without question and with apparent justice. There is, however, among the documents a letter written in the Spring of 1764 in which the insinuation is made that they might, perhaps, be favoring the Penns who were arranging for the survey of their northern boundary with the idea that the work should be given to Messrs. Mason and Dixon as a *douceur* in case they treated them right in the survey of the southern boundary.

The Work of Messrs. Mason and Dixon.

The original survey by Mason and Dixon is more fully described in the report by Captain Hodgkins, but it is well to review briefly the subject at this point. Arriving in Philadelphia in the Fall of 1763 after presenting their credentials to the joint commissioners Mason and Dixon, under authority of the commissioners, began their work and their journal which gives a daily account of all that they did from the 15 November until their return to England in 1768. They were sworn in by the commissioners on the 6 December having previously been in attendance since the first of that month. Three days later they were formally instructed to determine the latitude of the southernmost point of Philadelphia and then to go to make similar observations at a point 30 to 35 miles west of the city, and to run a due south line 15 miles at the end of which they were to determine again the latitude, mark the spot, and notify the commissioners. On the 15 June, 1764, whether or not the other work was completed, they were instructed to go to the Middle Point of the transpeninsula line and run by transit a tangent therefrom, in accordance with the last course of the surveyors and the hints given by Dr. Bevis and Mr. Harris. This line should be marked by posts at the end of every mile. The usual instructions were also given regarding the keeping of notes, record of buildings past, and the respect for property rights of the owners of the lands they traversed.

In accordance with these instructions Messrs. Mason and Dixon were occupied in determining the latitude at Philadelphia until 7 January, 1764, when they set out for the forks of the Brandywine. There they were busy taking a second set of latitude observations until the 2 April. On the latter date they began the measurement of the 15 miles southward which was not completed until the 12 inst. After taking numerous observations at the southern end of this line and establishing the observatory for closer work the distance was re-measured and the corrections applied. It was not until the 13 June that the location of this point was established thoroughly and all of the computations made. On the 25 June the surveyors arrived at the Middle Point and began the running of their tangent line which they completed on the 27 August following. Having computed the off-sets necessary for the running of a true tangent line they returned to the Middle Point, setting off the off-sets to the corrected line. When they arrived at the Middle Point they found they were 2 feet and 2 inches to the west of their former position. From the 27 September until the 10 November the surveyors were occupied in running the corrected tangent northward and on the 13th, they record the conclusion "that the Offset Posts in our last Visto, mark'd MD, are (as far as is practicable) in the true Tangent Line."

Having made many observations of doubtful character some days preceding, Mason and Dixon on the 4 April, 1765, placed four marks about half a mile westward for the direction of the line, and finding them distant from each other only 18 inches, decided to begin the western line which has since then been associated with their names. The measurements in their notes refer to the point marked west, nearly three miles east of the northeast corner of Maryland and not, as one at this later day might suppose, to the latter point. At this time they ran the line only to the Susquehanna River which they reached on the 27 May. Between the 28 May and the 21 June the surveyors were occupied in laying out the lines between the tangent point and the northeast corner of Maryland, and attending the meetings of the joint commissioners. Work was renewed on the western line on the 26 June and continued regularly with frequent observations for latitude until the 28 October when they began their

return to the Susquehanna River having extended the line over 117 miles from the point marked west, to the foot of North Mountain. As they returned eastward they set off the off-sets from the straight line chords, which they had run, to form the curved line required by the degree of latitude. They reached the Susquehanna on 7 November and were busy with the rounding up of their affairs, or attending upon the commissioners, who held a meeting at York, until the 21 of the month. On the latter day they started for the Middle Point to begin the setting up of stones on the tangent line. On the first of January, following, they reported the stones all set and thus closed their field season for 1765.

The field season of 1766 was occupied in running a line from the eastern slopes of North Mountain to the foot of Savage Mountain, where the surveyors stopped and began the cutting of a broad swath or visto, through the forest along the true boundary, which had been determined by the establishment of posts set off from the line actually run. These offsets were measured every ten chains, although not all of them were marked. The visto reached the north east corner of Maryland in the latter part of September; it was at this time that the remark was made describing the appearance of the line as viewed from an eminence. The visto, as a rule, was about twenty five feet wide, and the number of posts which had been set was three hundred and three. The month of November was occupied in the setting of the remaining stones in the tangent line and along the first twenty-six miles of the western line. These stones were set 73 links eastward of the mile post so that they would stand an even mile from the north east corner of Maryland, rather than at mile intervals from the temporary point in Mr. Bryan's field nearly three miles farther east. During the latter part of November, apparently without authority from the proprietors, the commissioners ordered Mason and Dixon to extend their west line eastward to the Delaware River. This was done accordingly and the latter point was reached on the first of December.

Work during the Summer of 1767 was much delayed because of the fear of Indian troubles arising from their objection to the advance of Europeans beyond the Allegheny Front. The delicate task of gaining the consent of The Six Nations was entrusted to Sir William

Johnson who was not able to win this until June. According to the original arrangements five or six Indians were to accompany the surveyors as representatives of the Six Nations, but through some misunderstanding, between 100 and 150 began to assemble in attendance. It was only after further negotiations with the Indians that the commissioners were able to avoid the expense and trouble of maintaining such a large following. It was not until the 10 July that Mason and Dixon actually began the continuance of the line towards the western limit of Pennsylvania. By the middle of August they had reached the present limits of Maryland, although at the time there was no notice taken of the fact. From then until the first of November the entire party was engaged in running and marking the line between Pennsylvania and Virginia in which Lord Baltimore had no interests or concern although he was ultimately to pay one half of the expenses. During the remainder of November on their return eastward the surveyors were engaged in cutting the visto, erecting cairns of stone, or earth, and establishing the stones which had been brought from England. The latter extended only as far as the one hundred and thirty-second mile from the beginning of the west line.

The farthest point westward reached by Mason and Dixon was 233 miles, 17 chains, and 48 links from the post marked west in Mr. Bryan's field, or 230 miles, 18 chains, and 21 links from the beginning of the west line. They were stopped at this point by the Indians who had received permission from the chiefs of the Six Nations to allow the surveyors to extend their work only to a warpath lying slightly east of the westernmost point reached by Mason and Dixon.

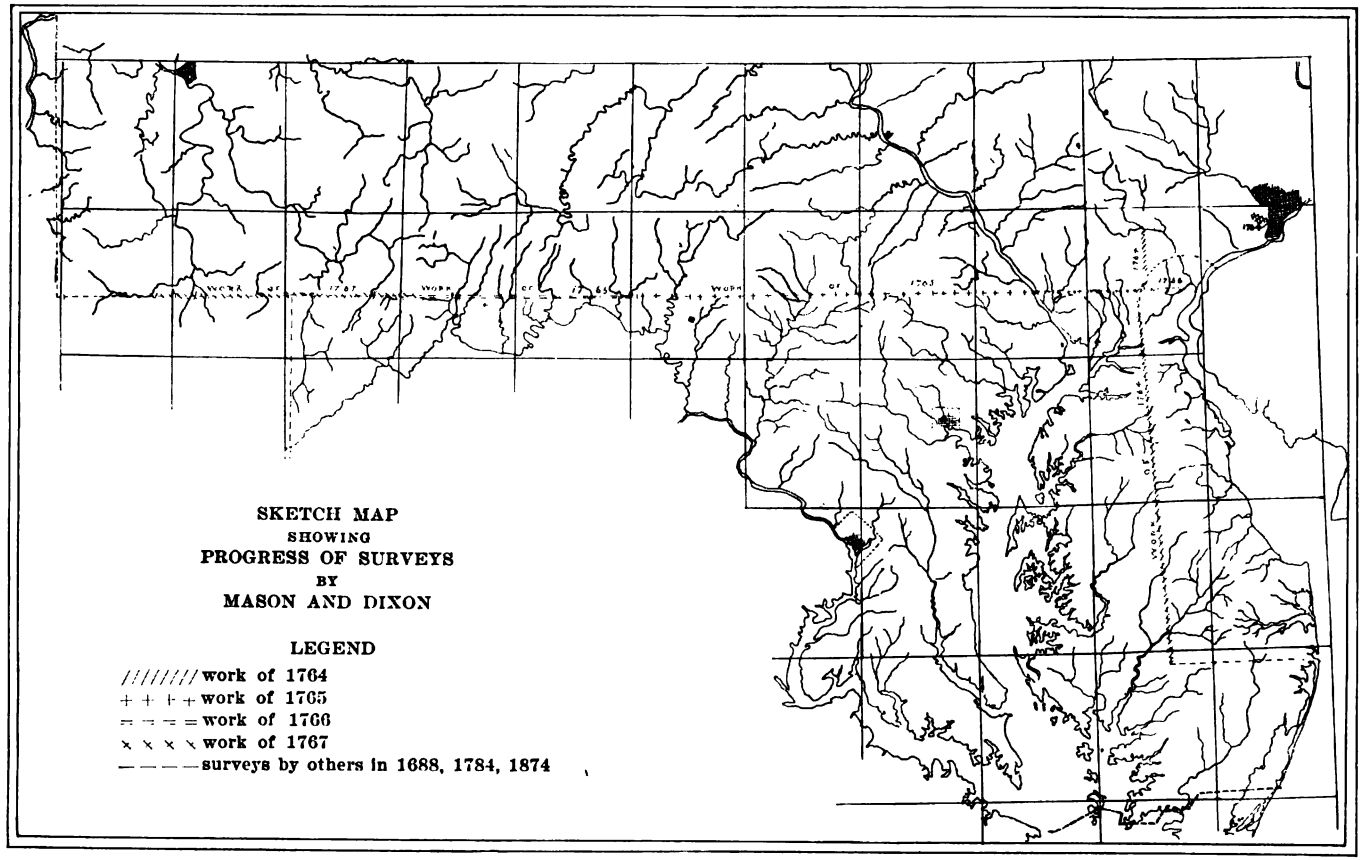
The surveyors attended the commissioners at Christiana Bridge December 24-26 when they were instructed by the commissioners to draw a plan of the boundaries between the two Provinces. This was done accordingly and the plans were delivered to the Rev. Richard Peters on 29 January, 1768. This constitutes the last entry in the Mason and Dixon Journal in the copy owned by the Pennsylvania Society. The Maryland copy ends on the 4th October 1767, while the U. S. State Department copy continues until the 11 Sep-

tember, 1768. On the 10 September as Mason was preparing to embark from Halifax the commissioners met at the Middle Point and marked with a permanent stone one of the earliest occupied stations on any of the permanent lines run by Mason and Dixon.

There still remained a few formalities before the work of Mason and Dixon should be rendered complete. On 20 August, 1768, Lord Baltimore and the Penns united in a petition to the King for his approbation of the line, or boundary laid down. On the 9 November, following, the commissioners reported the establishment of the line between Pennsylvania and Maryland and during the same month Mason and Dixon presented their bill. The accounts were finally agreed upon in 1769 and a receipt was given by the surveyors on the 24 February. On 11 January the King in Council ratified the Mason and Dixon line as the settled boundary between the Provinces of Pennsylvania and Maryland. The original vouchers still preserved among the manuscripts of the Library of the American Philosophical Society, show that this survey cost the proprietors fully $75,000. How much more was spent in lawyers' fees, the gathering of testimony, prosecution of trespassers, and worry will never be known. The proprietors remained in peaceful possession of their governments scarcely five years before the encounters between the colonists and British soldiery marked the opening of the American Revolution by which these princely domains were wrested from their European owners. Frederick, the sixth and last of the Baltimore barons, died on 4 September, 1771, before the disruption occurred.

Westward Extension.

Less than ten years passed after Mason and Dixon were stopped by the Indians before the settlements on either side of the prolongation of their line became sufficiently numerous to arouse a sentiment favoring its completion. The question now became one between Pennsylvania and the Virginians, since all the territory lay far to the west of the meridian of the first fountain of the Potomac. In 1773 the Penns petitioned the King to appoint proper persons to lay off their western and northern boundaries. To this the King agreed and the proclamation was issued in 1774. On 7 May of the same


SKETCH MAP
SHOWING
PROGRESS OF SURVEYS
BY
MASON AND DIXON
LEGEND
work of 1764
work of 1765
work of 1766
work of 1767
surveys by others in 1688, 1784, 1874

year Messrs. James Tilghman and Andrew Allen were commissioned to confer with the Earl of Dunmore, then governor of Virginia, regarding the settlement of the boundary between Pennsylvania and Virginia. This resulted in a conference held at Williamsburg, Va., in June 1774. The views held by the two constituencies were far apart and nothing resulted from this conference. On 15 June 1776 Virginia proposed that a line be run from the north west corner of Maryland to the mouth of Plum Creek, a tributary of the Alleghany River. This was a northerly line which would have given to Virginia the Monongahela Valley and Pittsburg and was naturally rejected by Pennsylvania when considered by the latter in September of the same year. Another attempt is referred to in the history of Alleghany County as embodied in the resolution passed by the Virginia Assembly on 18 December, but nothing appears to have resulted from this.

THE BALTIMORE CONFERENCE.

Somewhat later commissioners were appointed by the States who met in Baltimore in August, 1779, and came to an agreement which was sanctioned by Virginia and Pennsylvania Assemblies in the succeeding Summer. The Journal of the proceedings of the commissioners which is extant has been published by the Pennsylvania authorities. This shows that the Commissioners met in Baltimore on 27 August and that, after organizing, their respective claims were presented in a series of letters. The Pennsylvanians first proposed that, according to their charter, they were entitled to the beginning of the 40th Degree; that, accordingly, a meridian should be drawn southward from the first fountain of the Potomac to the beginning of the 40th Degree of latitude; that thence a parallel of latitude should be drawn to the western extremity of the State. On August 30 the Virginia commissioners replied that they did not so read the Pennsylvania charter but that Pennsylvania was entitled to no territory southward of the Newcastle circle nor westward of a point five degrees west of the intersection of that circle and the Delaware River, quoting in their favor many of the arguments which had been employed in the Maryland controversy. They were willing, however, to suggest that the Mason and Dixon line be continued. The

response of the Pennsylvania commissioners made upon the same day was to the effect that they did not feel justified in adopting the Mason and Dixon line unless this line were extended so as to give to Pennsylvania as much land as it would have held according to the original terms of its grant. In other words they were willing to yield the territory south of the Mason and Dixon line in return for the Panhandle District of Virginia. The Virginians promptly responded that they could not consider this idea of compensation but were willing to compromise on a line running from the western limits of Maryland to a point five degrees west of the Delaware on the parallel of 39° 30′ north latitude. This proposition was accepted by the Pennsylvanians with the additional clause that a meridian line drawn northward from this point should serve as the western boundary of their State. The additional proposition was declined by the Virginians who proposed, in its stead, that the Mason and Dixon line extend five degrees westward from the Delaware and that a meridian from that point should form the western bound of Pennsylvania. To this the latter agreed and a formal joint-agreement "to extend the Mason's and Dixon's Line due west five degrees of longitude, to be computed from River Delaware, for the southern boundary of Pennsylvania, and that a meridian drawn from the western boundary thereof to the northern limit of the same State be the western boundary of Pennsylvania forever" was signed on 31 of August, 1779.

This agreement was ratified by the General Assembly of Virginia 23 June, 1780, and two months later on 23 September, by the Pennsylvania Assembly. It was not, however, until 21 February following that John Lukins and Archibald McClean (two surveyors who had been associated with Mason and Dixon, or the earlier work of the transpeninsular line), were appointed as commissioners on the part of Pennsylvania to extend the Mason and Dixon line, and to run a meridian to the Ohio River in accordance with the agreement reached nearly eighteen months before. A letter was dispatched to Thomas Jefferson, then Governor of Virginia, by Joseph Reed, then president of the Pennsylvania Council, informing him of the appointment of commissioners. Nearly two months later on April 17 Governor

Jefferson announced the appointment of James Madison and Robert Andrews, two professors of William and Mary's College as the commissioners on the part of Virginia. In this letter it was suggested that the five degrees of longitude be determined astronomically by two observatories situated at either end of the distance. Madison was assigned to the Delaware end and Andrews to the more arduous western extremity.

All of this occurred during the Revolutionary War when the colonists were harassed on the west by the Indians, and on the east by the British and internally by many pioneer settlers who were ready to stop with force the running of boundary lines which would mean to them the determination of jurisdiction and the consequent payment of taxes and military duties. The internal conditions demanded that the commissioners be protected by a strong force of militia sometimes numbering 250 men, a force which the military conditions at the time rendered it exceedingly difficult to furnish. It is accordingly not at all strange that in reply to Governor Jefferson's letter President Reed should suggest on 14 May, 1781, that a temporary line be run at first, to quiet the disorder along the boundary and that the more accurate astronomical observations be made later. Moreover, it was at this time after his unsuccessful attempts to overpower Greene in Virginia and North Carolina that Cornwallis decided to pursue him no further but to return to Virginia where he hoped to entrap Lafayette and his forces. In the disordered conditions of Virginia the commissioners did not wish to leave their families unprotected and there was, accordingly, difficulty in getting the commissioners of the two States together. The Pennsylvania commissioners, according to their original instructions, had been authorized in case of the non-appearance of those from Virginia to ascertain and mark a line in strict conformity with the terms of the original agreement, but on account of the many difficulties their work had been turned over to Alex. McClean whose instructions allowed him to do the work only in conjunction with the Virginia authorities. On account of these many difficulties nothing was done during the Summer of 1781 to run even the temporary line. During the Fall a second attempt was undertaken by the appointment of new commissioners on the part of

Pennsylvania, but on March 1, 1782, the Pennsylvania Council decided not to run their line by astronomical observations at that time on account of the great expense involved and the unsettled character of the frontier where much opposition had arisen with respect to running any line. In their attempt to come together in the Spring of 1782 the Governor of Virginia apparently confused the Mason and Dixon line with the temporary line of 1739 and accordingly misread some of the Pennsylvania communications in which the term temporary line had been used in regard to the extension of the Mason and Dixon Line, and this in turn led to some delay. When attempts were made in the Summer of 1782 to run an *ex parte* line, the inhabitants along the border rose in serious opposition and stopped the progress of Alex. McClean, who was acting as surveyor for Pennsylvania. On the 10 June while attempting to proceed from the mouth of Dunkard Creek he was stopped by a body of armed horsemen who dared him to a trial of resolution. It was, therefore, impossible for him to make any progress without open war with the local inhabitants. This he did not feel free to undertake. Finally in November McClean was able, with Joseph Neville, who had been appointed a commissioner in the preceding August, to undertake the work, and on the 28 inst. they reported: "We have extended Dixon's and Mason's line 23 miles to a small poplar in the forks of Fish Creek and from thence extended a Meridian of 61 miles and 236 perches to the Ohio River, which intersects the same in the Narrows above the upper end of Much More's Bottom and about 2½ miles above the mouth of Yellow Creek." Towards the last of February, 1783, the President and Council of Pennsylvania presented a report with a map explaining the extension of the Mason and Dixon Line and suggested that a proclamation be issued concerning the new boundary. The line was confirmed as a temporary boundary on 22 March and a proclamation was issued four days later on the 26 March announcing the settlement and running of the Meridian and Mason and Dixon line extension.

Extension by Astronomical Observation. The same month that the treaty between the English and the colonists was signed in Paris the Pennsylvanians took up anew the question of their western

FIG. 1.—ORIGINAL MASON AND DIXON MONUMENT (NO. 32), CROWNSTONE SHOWING BALTIMORE ARMS, ONE MILE WEST OF CARDIFF, RESET.

FIG. 2.—ORIGINAL MASON AND DIXON MONUMENT (NO. 16), CROWNSTONE SHOWING PENN ARMS, NORTHWEST OF RISING SUN, RESET.

VIEWS OF MONUMENTS ALONG MASON AND DIXON LINE.

boundary. Both States appointed commissioners during the Fall of 1783 and made all their preparations in the line of instruments and a study of the case to take up the actual survey promptly. The observations were commenced on the eastern end of the line, on the Delaware, on 1 June, 1784, the commissioners having met previously in the middle of the preceding month. The observations were completed on the 25 September, 1785, when two of the senior commissioners returned to their home to avoid the hardships and expense involved in a journey to the western end of the line. A joint report of the commissioners was made November 18, 1784, although there still remained much work to be done. According to a letter of Robert Andrews, one of the Virginia commissioners, dated March 5, 1785, the necessary astronomical work had been completed at that time and the Mason and Dixon line extended the distance of 5 degrees west from the Delaware. The only thing remaining undone was the running of the due north line. On the 23 of August, following, the work on the meridian boundary was completed and a joint report by the commissioners was prepared on the same date.

The season of 1784 appears to have been rather unsatisfactory for the making of astronomical observations, but the records show that the commissioners succeeded in making sixty different observations at the eastern end of the line and between forty and fifty on the western end, which was situated more than thirty miles beyond the limits of a settlement on a high hill at a point previously determined as the western end of the Mason and Dixon line extension. All of the observations were made on the eclipses of Jupiter's satellite. The results of the calculations made showed that their two observatories were twenty minutes, one and one eight seconds of time from each other, or slightly more than five degrees of longtitude.

Resurveys of the Old Boundary Lines.

The temporary character of the marking of a portion of the original Mason and Dixon line and its subsequent extension westward, together with the ravages of time during the hundred or more years since the original surveyors heaped up their cairns of earth and stone, assisted by the vandalism of relic hunters and others, have at places

more or less obliterated the marks of the original surveyors. Since upon these depend the exact limitations of jurisdiction, with the consequent uncertainties regarding title, and the difficulties experienced by the officials in collecting taxes and exercising the authority of the law, it has been necessary from time to time to examine the condition of the boundaries and to resurvey and remark their location. As a rule attempts have been made to restore the original line by interpolating points between known monuments of earth or stone rather than to correct any errors made by the original surveyors. The rapid review of this more recent work given in the following pages serves to acquaint the reader with what has been done, and to furnish the student with some estimate of the accuracy of the original surveys, viewed from the standards of accuracy employed at the present time. Prior to the execution of the last and most extensive of these resurveys, giving rise to the present report, there have been three distinct re-examinations along the lines marking the boundaries laid down by Mason and Dixon. The first of these was the Graham Survey of 1849/50, dealing with the relocation of the boundary lines between Maryland, Delaware, and Pennsylvania involving the study of the northern end of the tangent line, a portion of the Newcastle circle, the short due north line, and a portion of the west line whose intersection forms the northeast corner of Maryland. The second resurvey was the Sinclair survey of the extension of the Pennsylvania-West Virginia line from the north west corner of Maryland to the south west corner of Pennsylvania. This involved a study of the western work of Mason and Dixon, and the extension of the line made under the joint auspices of Pennsylvania and Virginia in 1783/4, as well as the remarking of the western boundary of Pennsylvania. The third undertaking was the survey and marking of the Newcastle circle, separating Delaware and Pennsylvania. This involved the determination of a new line forming a compound curve including the few recognizable points of the original Taylor-Pierson Survey of 1701, and the portion of the arc near the tangent point determined by Mason and Dixon.

The Graham Resurvey of 1849/50.

Action was taken on the part of Maryland (February 11, 1846), Pennsylvania (April 10, 1849), and Delaware (February 10, 1847), leading towards the survey and determination of the point of intersection of the three States, the fixing of a stable mark, or monument, to indicate the point, and authorizing the appointment of commissioners representing the respective commonwealths. These commissioners met in Wilmington in October, 1849, to organize and examine the problems involved in the carrying out of their commission. It was found wise at the time, on account of the intricacy of the work involved, to apply to the general government for assistance. This was furnished by the Secretary of War by the detail of Lieut. Col. James D. Graham with a corps of topographical engineers. On the 12 November the commissioners communicated directly with Colonel Graham, indicating their purpose to remark the following points, viz:

1st. The beginning of the curve, or north end of the tangent line.

2nd. The meridian of the curve between Delaware and Maryland.

3rd. The point, or place, of intersection of the due north line and said curve, being the point of intersection of the three States; and

4th. The north end of the aforesaid due north line, or intersection of said line, with the east and west line of Mason and Dixon, being "a parallel of latitude fifteen English statute miles south of the most southern part of the city of Philadelphia," and the boundary of Pennsylvania and Maryland on the north.

Three days later Colonel Graham replied outlining the proposed method of making the resurvey suggesting a preliminary, or experimental, survey to locate all of the then existing boundary marks, or monuments. From this it would be possible to find out what, if any, monuments were missing and the points which they should occupy. With this information at hand the final survey could be undertaken

readily. On the same day, November 15, the commissioners accepted the method of work proposed by Colonel Graham and authorized him to undertake the survey.

The final report on this work was made by Colonel Graham on February 27, 1850. From this report it is learned that Colonel Graham commenced his work on October 30, 1849, by a conference with the Governor of Maryland and an examination of the documents then placed at his disposal. From these many extracts were made showing the methods in which the original lines were run, and the interpretation of the various local terms involved in the location. From November 9 to 12 the time was spent in the preparation of instruments and in a conference with the commissioners at Wilmington. The latter on the 13th and 14th of the same month accompanied the surveyor in making the proposed reconnaissance of the line and landmarks within the limits of the portion of the boundary in question. They visited at this time the northeast corner of Maryland, examined the line on either side for two or three miles, and thence proceeded to the intersection point and tangent point. From the latter their examination was extended southward as far as the 79th stone from the Middle Point of the transpeninsula line marking the tangent line.

Actual surveying began at the 79th mile stone and proceeded to the tangent point and thence due north to the northeast corner of Maryland. Then it was found that the line did not deviate two inches from the center of a stake which was found at the supposed intersection of the meridian and the east and west line. On 21 November work began at the second mile post west of the northeast corner and extended eastward until it intersected with the newly run north line. Having located the required point, an excavation was made in which, at a depth of about three feet below the surface, an unmarked cut stone, similar to those found on the arc of the circle southward, was found. This was the stone placed by the commissioners on the 18 June, 1765, thirty years prior to the marking of the point with a stone bearing the arms of the proprietors. The unmarked stone had probably been buried at the place when the one bearing the arms was placed in position.

FIG. 1.—ORIGINAL MASON AND DIXON MONUMENT (NO. 22) MILESTONE, WEST OF CONOWINGO CREEK, REPAIRED AND RESET.

FIG. 2.—NEW MONUMENT (NO. 158) OF 1902, MILESTONE SET IN OLD MOUND OF MASON AND DIXON (1766) ON TUSSEY MOUNTAIN, NORTHWEST OF FLINTSTONE.

VIEWS OF MONUMENTS ALONG MASON AND DIXON LINE.

During the subsequent work discrepancies were found in the measurements of Mason and Dixon, particularly regarding the length of the Newcastle radius and the curvature of the small arc between the tangent point and the point of intersection. These were found afterwards to be due to inaccuracies in chaining and to errors in some of the elements involved in the original computations. Another error arose from the acceptance by Mason and Dixon of the radius line run by the local surveyors previous to the inception of their work. This radius, according to Colonel Graham's work should be revolved about the center of its circle by an arc of 8.34⅛ seconds to the south, and then produced 2 ft. 4 in. westward and the tangent line which was run by Mason and Dixon, if revolved around the Middle Point an angle of 1.2 seconds would allow the two lines to intersect at right angles 157.6 feet south of the present tangent stone. As Colonel Graham remarked, "the slight variation thus required in the azmuth of the tangent line proves the surprising accuracy of its direction as determined by Messrs. Mason and Dixon." The error in the curve detected by the resurvey is not one of moment, as it abstracts from Delaware and gives to Maryland only about 1.87 of an acre. It is, however, of interest as being almost the only instance where the errors in the original surveys favored Maryland. By the error in locating the northern boundary of Maryland, putting it five chains too far south, Maryland lost a strip of that width along the whole of its northern boundary, about 196 miles. The area thus included amounts to nearly 8,000 acres. The error in making the radius from the Newcastle circle which placed the tangent point 108 feet too far from the center took a strip of that width from the eastern border of Maryland as far south as the tangent point, while south of that point it removed a gradually narrowing wedge 84½ miles long and 108 feet wide at its base. The area involved and lost to Maryland by the error is approximately 615 acres.

The field work of this survey was completed on 6 February, 1850, and the final report transmitted by the commissioners to their respective Governors on 1 March, following.

Sinclair Resurvey of the Western Extension, 1685.

The States of Pennsylvania and West Virginia having provided, by appropriate legislation, for the appointment of a joint commission to examine as to the true location of the monuments which marked the boundary line between them, and to replace any monuments dilapidated or missing, the commissioners appointed met in Pittsburg, April 10, 1883. It was there decided to secure, if possible, from the U. S. Coast and Geodetic Survey the detail of two of its officers to do the actual surveying, under the supervision of the commissioners. For this work the Federal Bureau detailed Mr. C. H. Sinclair with Mr. C. H. Van Orden, as his assistant. The plan of the survey involved the re-running and location of a true meridian as the western boundary of Pennsylvania and a subsequent running and remarking of the parallel of the Mason and Dixon line. The first part of this resurvey was done between the first of May and June 30, 1883, the surveyors reporting at a meeting of the joint commissioners held at Pittsburg on July 3, following. At this meeting Mr. Sinclair was authorized to make the necessary latitude observations for tracing out the line from the southwest corner of Pennsylvania to the northwest corner of Maryland, a distance of about fifty-five miles, and to undertake the tracing of the line according to the funds available. The entire distance was divided into four sections, by the location of five latitude stations, at each of which there were no less than fifty observations taken. Observations at the southwest corner were made between the 15th and 19th of August, including 73 observations, and the determination of chronometer error by the observations of time stars each night. The observations were then made on Lantz's Hill near Jallytown, on Mount Morris, at Harvey, and finally, at the Maryland corner where the observations were completed on September 6. Sixteen out of the twenty-two nights between the beginning and determination of the observations were clear, or suitable for work, enabling the determinations to be made with considerable rapidity. A few days later it was decided finally to range out the parallel boundary as far as the funds would permit. Work at this end was begun accordingly on the 26 September. As the work pro-

gressed eastward a few of the old marks of the extension survey were found, and east of Brown's Hill the mounds erected by Mason and Dixon were in frequent evidence. By the aid of these it was possible to recognize errors in the original survey. From the southwest corner to Lantz's Hill the old line is not the astronomical parallel derived from the latitude observations, nor does it coincide with the theoretical curve passing through the southwest corner of Pennsylvania. From Lantz's Hill to Brown's Hill the line coincides with the theoretical curve passing through the original station at the former place. East of the latter point the line bends to the southward in an almost straight line. This southerly deviation continues to the first mound west of the Monongahela, from which point the line bends northerly approximately parallel to the theoretical curve. Before the work was completed thirty-five and one-eighth miles were surveyed, of which twenty-one miles were marked permanently. That part of the line which was originally run by Mason and Dixon, beginning 21¾ miles east of the southwest corner of Pennsylvania, was not marked by the Sinclair survey at this time on account of the lack of funds and increased cost due to the southerly deviation from a theoretical curve which was found in it. The old line, however, could be traced without serious difficulty by the mounds which Mason and Dixon so conscientiously placed at a time when they were harassed by the Indians and by the frequent desertion of their laborers. During the Fall of 1885 Mr. Sinclair, without the assistance of Mr. Van Orden, completed the resurvey of the extension to the Maryland corner. It was found that the old line bent north quite rapidly until at the northwest limit of Maryland it is only about fifty feet south of the theoretical course passing through the southwest corner of Pennsylvania. This being the case, no corrections were made in the original line, but monuments were set in the old mounds. The final report of the commissioners was filed with the Department of Internal Affairs at Harrisburg, July 10, 1886. The report of the engineer is dated January 16, 1886.

The publication of this report on the western extension served as the nucleus of the admirable report on the boundaries of Pennsylvania published in 1887, while J. Simpson Africa was secretary of Internal Affairs. This volume with its atlas of maps and its copious

extracts from original documents is a fund of information for any student investigating the history of the various boundary surveys. In it is published a transcription of the original field notes and astronomical observations of Charles Mason and Jeremiah Dixon made by them during their surveys of the boundary lines between the various provinces from 1763 to 1768. The three copies of notes of these original surveyors now known differ somewhat, the publication following the copy in the library of the Pennsylvania Historical Society.

Hodgkins Survey of the Circular Boundary, 1892.

The circular boundary forming a limit between Delaware and Pennsylvania although often confused with the Mason and Dixon lines did not form a part of them except along a small portion of the curve between the tangent point and the point of intersection on the western boundary of Delaware. The line was originally fore-shadowed in the deed of feoffment from James, Duke of York, to William Penn and the charter of Pennsylvania from Charles II. Although the inhabitants of Pennsylvania and the Three Lower Counties were all under William Penn as proprietor, the feeling between them became strained. Those who lived within the Pennsylvania grant were English Quakers and Germans, who came over under the leadership of William Penn, while those living along the Delaware from Wilmington southward were Dutch, Swedish, and Finnish settlers, or their descendants, who had held the land prior to the advent of William Penn. The diverse interests led to disorders which served as an excuse for taking the government away from William Penn. When this was restored the inhabitants were able to enforce the establishment of two distinct assemblies. The line marking the limits of their respective jurisdictions was the circular boundary. This was first run out in 1701 by Isaac Tailer of Chester County and Thomas Pierson of Newcastle County. At the time the line was run, it was marked in a temporary fashion by blazed trees and other local objects, which as time went on became lost. The original circular boundary was supposed to be twelve miles distant from Newcastle, but the resurvey by Captain Hodgkins has shown that in reality it was nearly

thirteen miles in radius and that its western limit was within the present territory of Maryland. Mason and Dixon, in the process of their work, made an error in adopting the radius line of the surveyors of 1763, which was slightly longer than the twelve miles required. The arc which they drew was accordingly of sharper curvature than that of the original circle made more than sixty years earlier. The resurvey by Graham of a small portion of the circular boundary in 1849/50, through the signing of the reports and maps by the Delaware commission pushed back the circular boundary from its actual intersection with the Mason and Dixon line to the theoretically twelve miles circle; the original circular boundary crossing the east-west line of Mason and Dixon only some 2,000 feet east of the northeast corner of Maryland. When Captain Hodgkins came to review the work of his predecessors these differences were found. It became necessary therefore to establish a compound curved line which should pass through points on the Mason and Dixon boundary and the old circular boundary of Tailer and Pierson. In this way the present line was established which, although the radius of curvature of the western part is less than twelve miles, does not lie within the twelve miles circle which was originally planned.

The work of Captain Hodgkins' resurvey was, perhaps, the most intricate of all the resurveys undertaken upon these ancient boundary lines. Moreover, it changed the allegiance of a number of inhabitants on either side of the line and occasioned considerable ill feeling, which found expression in the columns of the local newspapers and occasionally in attempts to thwart the surveyors in their work. The field work of running the circular boundary and marking it with suitable monuments occurred in the seasons of 1892 and 1893. Members of Captain Hodgkins' party entered the field near Newark, Delaware, on 15 April. His own work was commenced on 11 May, following, at the same place. There appears to have been some difficulty, or misunderstanding, among the State and Federal authorities as the work progressed, which delayed somewhat the progress, so that the line was not completed until the following Spring. The boundary was marked by many permanent stones and the final report was submitted for publication on December 1, 1893.

PART IV

MANUSCRIPTS AND PUBLICATIONS RELATING TO THE MASON AND DIXON LINE AND OTHER LINES IN PENNSYLVANIA, MARYLAND, AND THE VIRGINIAS INVOLVING THE CHARTER RIGHTS OF THE BALTIMORES AND THE PENNS.

BY

EDWARD L. BURCHARD AND EDWARD B. MATHEWS

MANUSCRIPTS AND PUBLICATIONS RELATING TO THE MASON AND DIXON LINE AND OTHER LINES IN PENNSYLVANIA, MARYLAND, AND THE VIRGINIAS INVOLVING THE CHARTER RIGHTS OF THE BALTIMORES AND THE PENNS.

By

Edward L. Burchard and Edward B. Mathews.

There are in existence no complete or exhaustive bibliographies of the surveys relating to the boundaries of Maryland, Pennsylvania, and the Virginias although many papers have been written descriptive of the boundaries and the boundary disputes which show the existence of a large mass of documents and printed literature available for study. Various publications, such as lists of certified evidence called for from America in the suit between the Penns and Baltimore, have been issued and a partially complete list of papers in chronological order could be made up from the Breviate as reprinted in the Pennsylvania archives.

Fortunately very complete cartographies of the States connected with the Mason and Dixon Line have already appeared in print which contain descriptions of the early maps of the American colonies and provinces now comprised in the Middle Atlantic States.

Several comprehensive reviews of the boundary line and the border disputes also have appeared, but no published work gives a complete list of all the lines or of all the documents and papers pertaining to any one line although it has evidently been the intention of some persons to summarize all of the material bearing on certain questions. The following bibliography includes practically everything either in manuscript or printed form which has been accessible to the authors who have had unusual facilities for gaining access to the material.

The Dates Employed in the Calendar.

The Julian or Old Style Calendar, which went into effect in the year 45 B. C., began the Roman year in March and the months from that date were in their present order. In 1582, Pope Gregory XIII abolished the Julian calendar, substituting the Gregorian or present calendar, making at the time certain adjustments in days to bring the vernal equinox to March 21. At the same time, January became the first month of the year. This new style was promptly adopted by Roman Catholic countries and even in certain Protestant cities. Thus the old style in Holland ended Friday, December 21, 1582, and the next day, Saturday, became January 1, 1683, new style. Here was an adjustment of eight days. England, however, adhered to the old or Julian calendar until the first of January, 1752. To correct the accrued error of eleven days the third of September became the fourteenth. Many errors in dating have arisen in transposing old dates to the modern calendar from the assumption that the difference between the two calendars was always eleven days without regard to the century involved. There was a change of one day's correction when a leap year Old Style was a common year New Style, as happened Friday, February 29, 1699-1700. Another error in date has often arisen from overlooking the fact that the year began at different dates in different places prior to the standardizing of the calendar. Thus in England the first month was March, but the year began on March 25, subsequent to the fourteenth century. This was the legal year. In Holland, prior to 1582, the year began in some cities on Christmas, in others on March 25, in others on Good Friday and in still others at Easter. This has affected the transcription of all dates written the 1st, 2d, etc. month, since the historical date has involved not only the month but the correction in days. There was a not entirely universal custom of writing the dates in figures giving the day, then the month, then the year. To avoid adding possible errors the rule adopted in the following bibliography has been to give the date as found in the original document, transcription or publication, except that where the date has been added, thus 23d, 11 mo., 1721, has been written 23d January, 1721/2. In the case of Dutch records it will be necessary to use corrections appropriate to the time and origin of the document.

List of Manuscripts and Publications.

The following entries are grouped under three main divisions: Source Material, Maps, and Secondary Material.

The entries under Source Material are arranged chronologically according to the dates on the manuscripts or the time of original publication. While an attempt has been made to list *every* item that might throw light on the progress of events and the motives which actuated the participants in the controversy, no effort has been made to present an exhaustive list of republications of the documents, like the charters of Maryland and Pennsylvania, or the extracts from the accounts of the various conferences and surveys. Many of these may be gleaned from the annotations of the Secondary Material.

The annotations vary widely in their fullness with respect to the length of the document or publication discussed. Where the material has been published and is readily accessible the notes have been made as concise as possible; when unpublished or more or less inaccessible in published form, more extensive quotations have been made, sometimes the entire document being given in so far as it pertains to the boundary controversy. An attempt has been made to give impartial abstracts, showing the animus, generous or otherwise, of the various participants. Concerning the honesty or chicanery of the dealings of William Penn, controversy has arisen and many extravagant statements of praise and blame have been made. A perusal of all accessible records of his dealings in this, his most momentous controversy, shows that the true estimate should be between the fulsome praise of his admirers and the calumnies of his detractors. The notes dealing with the documents bearing on the question indicate the character of his acts in the light of the then existing knowledge.

Under the caption Maps are included such cartographic publications, original or reprints, as may prove serviceable or supplemental to the numerous maps listed in the Source Material.

The entries of the Secondary Material are arranged alphabetically and include all of the more extensive discussions of the Baltimore-Penn controversy subsequent to its settlement. These will serve to show the local influence which marks most of the writers on this ancient question.

SOURCE MATERIAL.

THE MARYLAND CHARTER.

1606.

April 10. Grant of Virginia by James I to Thomas Gates *et al.*

Ms. 4 Jac. I, 1606, April 10.
PUB. Pa. Arch., ser. 2, v. 16, p. 218 (Abstract).

1609.

May 23. Enlargement of Letters Patent to Virginia.

Ms. 7 Jac. I, 1609, May 23.

1612. MAP. Virginia. Grauen by William Hole. 12x16 in.

PUB. In Capt. John Smith's True relation of Virginia, with a description of the country. Oxford, 1612.
For critical discussion of reprints of this map see Mathews: Maps and Mapmakers of Md. Md. Geol. Survey, vol. 2, 1898, p. 359.
Note. Charles I, as stated by Lord Mansfield in the Penn-Baltimore suit. "had the map of Captain John Smith before them when the boundaries of the Colony were agreed on." "Smith's map was the only delineation then extant of that region." Bd. of Arbitrators, Va.-Md. Bdy. Opinion, 1877, Va. House docs. v. 6, p. 5.
See full discussions of the relation of Smith's map to the boundary controversy in the Breviate. Pa. Arch., ser. 2, v. 16, pp. 91-92, 220-223, 510-511.

1614.

Oct. 11. Resolution of the States General on the report of the discovery of New Netherlands.

Ms. ORIG. Reg. States Gen., Roy. Arch. Hague.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1. p. 10.
Pa. Arch., ser. 2, v. 5, pp. 7-8.

1616.

Aug. 18. Report of Capt. Cornelius Hendrickson on his discoveries in New Netherlands.

Ms. ORIG. Roy. Arch., Hague, Loopenda.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1, pp. 13-14.
ABST. Discovers a bay and three rivers between 38 and 40 degrees.

1617.

July 29. Resolution of the States of Holland and Westfriesland forbidding publication of journals, maps and charts of voyage.

PUB. Doc. rel. Colonial Hist. N. Y., v. 1, p. 15.

Aug. 2. Resolution of the States of Holland and Westfriesland interdicting correction of existing maps.

PUB. Doc. rel. Colonial Hist. N. Y., v. 1, p. 16.
Note. Removed Aug. 10, 1618.

1620.

Nov. 3. Grant. King James I to Plymouth Company.

Ms. 18 Jac. I, 1620, Nov. 3.
Note. Surrendered in 1635.

1620/1.

Feb. 12. Petition of the Directors of the New Netherland Company to the Prince of Orange.

PUB. Doc. rel. Colonial Hist, N. Y., v. 1, pp. 22-23.
Pa. Arch., ser. 2, v. 5, p. 13.
ABST. Proposal to establish Leyden Pilgrims in New Netherlands.

1621. MAP. Jacobsson, A. Americae Septenbrioualis pars. From the West Indies Paskaert [etc.].

MS. ORIG. on vellum, E. B. O'Callaghan, Coll.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1, frontispiece.
Pa. Arch., ser. 2, v. 5, p. 16.

Note. Compiled from Smith's map and some other, probably Dutch map. Virginia does not include peninsula and 40° runs ¼° north of Falls [Octoraro Creek].

Dec. 15. Order of Council against the Dutch trading to New England.

MS. ORIG. P. R. O., Council Reg. Jac. I, R. 1620-1623, v. 209.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, p. 6.
Pa. Arch., ser. 2, v. 5, p. 17.

ABST. English ambassador in Holland ordered to represent English claim to States General.

Dec. 15. Letter. Privy Council to Sir Dudley Carlton [Ambassador to Holland].

MS. ORIG. P. R. O., Holland, 1621.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, pp. 6-7.
Pa. Arch., ser. 2, v. 5, p. 18.

ABST. Reciting terms of above order.

1621/2.
Feb. 5. Letter. Sir Dudley Carlton to Lords of Council.

MS. ORIG. P. R. O., B. T., v. 6, p. 19.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, pp. 7-8.

ABST. "I could not fynd eyther by such merchants . . . or by the Prince of Orange and some of the states of whome I made enquirie any more in the matter, but that . . . two particular companies . . . began a trade into these parts . . . but I cannot larne of anie Colonie eyther already planted there by these people, or as much as intended."

Feb. 9. Memorial. Sir Dudley Carlton to the States General [Translated from the French].

MS. ORIG. P. R. O., Holland, 1622.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, p. 8.
Pa. Arch., ser. 2, v. 5, p. 20.

ABST. Claims English rights by original occupation and requests that ships bound thither be stopped by the States General.

1622.
April 21. Resolutions of the States of Holland and Westfriesland on a proposed plan of emigration.

PUB. Doc. rel. Colonial Hist. N. Y., v. 1, p. 28.

ABST. Discusses advisability of promoting emigration of families to West Indies.

1623.
April 7. Charter of Avalon. James I to George, Lord Baltimore.

MS. ORIG. British Museum. Sloane Ms. No. 170.
PUB. Scharf, Hist. Md., v. 1, pp. 34-40.

ABST. Interesting as foreshadowing the form of the Maryland Charter. so far as circumstances permit. The phraseology being the same in both documents.

1624.
Dec. 21. Warrent for William Ussling to establish a Company trading to America, etc., given by King Gustavus Adolphus of Sweden.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12 1-2.

1627.
Sept. 5. Order giving the Dutch West India Company the benefit of the Treaty of Southampton.

MS. ORIG. Privy Council Register, C. R. I., v. 3, p. 127.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, pp. 12-13.

ABST. Gives rights to trade but not to make settlements.

1629.

June 19. **Extract from the Register of Resolutions agreed to at Assembly of the Lords Directors of Old West Indian Company at the Chamber of Amsterdam, 19 June, 1629.**

PUB. O'Callaghan, Hist. New Neth., 2d ed. 1855, v. 1, app. S, p. 479.

ABST. Saml. Godyn gives notice of intention of selling a colony in Bay of South River.

In a second extract Patroons deed of Delaware Settlement [Swaenendied] to Comp. in 1634 which they had received by two patents of 15 July 1630 and 3 June 1631 brought before Council on account of a letter of conveyance from the Indians.

Aug. 19. **Petition of Lord Baltimore to Privy Council for changes in location of patent grant.**

MS. ORIG. P. R. O., Colonial Papers, v. 5, No. 27.
PUB. Scharf, Hist. Md., v. 1, p. 49.
Md. Arch., v. 3 pp. 15-16.
Pa. Arch., ser. 2, v. 16, pp. 87-90.

1630.

July 11. **Patent from Director and Council of New Netherland to Samuel Godyn for a tract of land on Delaware River.**

MS. COPY. N. Y. Secy. State. Bk. G. G.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1, pp. 4-3; v. 12, pp. 16-17.
Pa. Arch., ser. 2, v. 7, pp. 459-460.

Note. See next entry.

July 15. **Confirmation of Indian Grant. Director and Council of New Netherlands to Samuel Godyn.**

MS. ORIG. N. Y. Secy. State, Dutch records No. 2, Fol. 3.
PUB. Pa. Arch., ser. 2, v. 16 pp. 223-224.

ABST. Land on South river "stretching in length from Cape Hinloop to the mouth of the said South river, about 8 large miles and inland half a mile in width, reaching to a certain low place or valley," an area 32 1-3 miles long and 2 miles wide on south or west shore of Delaware. See note in Doc. rel. Colonial Hist. N. Y., v. 12, p. 17.

1630/31.

March 8. **Commission. Sir John Harvey to Wm. Claiborne.**

MS. ORIG. P. R. O., Virginia Papers, Bundle 75, p. 130.
PUB. Chalmer's Polit. Annals pp. 228-229.
Scharf, Hist. Md., v. 1, p. 101.

ABST. Granting rights to trade with Dutch and English.

1632.

April 2. **Letter. Captain John Mason to [Mr. Secretary Coke?].**

MS. ORIG. P. R. O. B. T., v. 10, p. 1.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, pp. 16-17.
Pa. Arch., ser. 2, v. 5, pp. 26-28.

ABST. Narrates history of grants and settlements and disclaimers of States General when Lord Baltimore was Secretary of State. Also recounts further colonization by Dutch after being warned by English.

April 7. **Order. States General to their Ambassadors in England.**

MS. ORIG. Roy. Arch., Hague West Indie.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1, pp. 46-47.

ABST. Orders them to effect release of vessels held at Plymouth. Answered with full account Apr. 10, 1632 (n. s.). Cf. pp. 47-50.

May 5. **Letter. West India Company to States General.**

MS. ORIG, Roy. Arch., Hague, West Indie.
PUB. Doc. rel. Colonial Hist. N. Y. v. 1, pp. 50-52.
Pa. Arch., ser. 2, v. 5, pp. 35-37.

ABST. Complains of arrest of their vessel at Plymouth and gives history of what has been done for its release as well as Dutch view of relative rights in America.

Other papers dealing with this controversy are published in Doc. rel. Colonial Hist. N. Y., v. 1.

1632.
May 23. **Answer by Charles I. to Remonstrance of Dutch Ambassadors.**

MS. ORIG. Roy. Arch., Hague, England, 1632.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1, pp. 57-59.
ABST. Enclosed in report of Ambassadors [1633]. Says Dutch have usurped parts of northern Virginia which English held by right of discovery. An important document having a direct bearing on interpretation of "inculta" clause in Maryland charter.

June 20. **Considerations upon the Patent granted to Lord Baltimore viz: as to the matter of Law, Inconvenience, and matter of Equity for the particular persons of the old Company. 15 folios.**

MS. COPY. P. R. O., Colonial Papers, v. 6, No. 58.
PUB. Md. Arch., v. 3, pp. 17-19.

June 20. **Charter of Maryland. Charles I to Cecil, Lord Baltimore.**

MS. ORIG. Patent Roll 8. Charles I, pt. 3, No. 2594.
MS. COPY. P. R. O., Colonial Papers, v. 5, No. 27.
Md. Hist. Soc. Calvert Papers, Nos. 182, 183, 184.
P. R. O., B. T. properties, v. 13, S. 22, 68 fol.
Pa. Hist. Soc., Penn MSS. (English text).
Cf. Nos. 13, 179, Allen, Cat. Penn Papers, 1870.
PUB. Md. Arch., v. 1, p. 3; v. 3, pp. 3-12; pp. 319-320 (extract)
Pa. Arch., ser. 2, v. 16, pp. 88-90, 224-226.
Scharf, Hist. Md., v. 1 pp. 53-60.
Relation of Md. [etc.] Sabine Repr. 4to., ser. No. 2.
Neill, Sir George Calvert, pp. 22-23.
Charters and Constitutions of U. S., p. 811 (Latin text).
Hazard, Hist. Coll., 1792, v. 1, pp. 327-336 (Latin text).
MacDonald, Select Charters, No. 12, pp. 53-59 (English text).
Preston, Docs. illus. Amer. Hist., pp. 62-77 (Latin text).
Charter of Md., etc. Bradford, Phila., 1725 (Sabin No. 45106).
Bacon's Laws Va., 1765 (English and Latin texts).
Rept. Va. Commiss. on Md.-Va. Bdy., 1873, p. 7 (Latin and English texts).
Windsor Narr. Crit. Hist. Amer., v. 3, pp. 517-562?
Kilty Laws of Md.
Doc. rel. Colonial Hist. N. Y., v. 2, pp. 85-86 (extract taken by H. & W. 1659).
Cf. Sabin, Nos. 45104, 45105, 12163.

For discussions of the terms of the Charter see:

Md. Arch., v. 1, pp. 16-44.
Pa. Arch., ser. 2, v. 16, pp. 3-6 (for Penn); pp. 87-92 (for Baltimore); also pp. 225-228.
Scharf, Hist. Md., v. 1, pp. 2-3.
Lee, Southern boundary of Md., Annap., 1860.
Md. Commiss. Rept. on Md.-Va. Bdy.
Bd. of Arbitrators on Md.-Va. Bdy. Opinion, 1877, Va. House doc., v. 6.
Doyle, English Colonies, v. 1, p. 281.
Bancroft, United States, cent. ed., v. 1, p. 181.
Hildreth, United States, v. 1, p. 206.
Neill, English Colonization, p. 18.
Browne, Georgius and Cecilius Calvert.
McMahon, Hist. Md., v. 1 pp. 2-3.
Rept. Va. Commiss. on Md.-Va. Bdy., 1873, pp. 79, 84, 94-119.
Houston, Hist. Soc. Del., No. 2, pp. 15-18.
Johnson, Hist. Cecil Co., pp. 1-14.
U. S. House Rep., Misc. Doc. 28th Con. 1st Sess. No. 457, pp. 4-70.
See also annotations of Secondary Material.

1633.
June 28. **Order in Council on Petition of Virginia Planters.**

MS. ORIG. P. R. O., Council Register.
MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 182-184.
PUB. Pa. Arch., ser. 2, v. 16, p. 227.
ABST. Hearing appointed for "Wednesday next."

1633.

July 3. **Resolution of Privy Council upon petition of Virginia planters against Lord Baltimore's grant.**

MS. ORIG. P. R. O., Colonial Papers, v. 6, No. 76.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Chalmer's Polit. Annals, v. 1, pp. 231-232.
Md. Arch., v. 3, pp. 21-22.
Scharf, Hist. Md., v. 1, p. 104.
Votes of the Rep. of Pa.
Jefferson's Notes on Va., Rich., 1853, p. 198.
Pa. Arch., ser. 2, v. 16, p 228.
ABST. Baltimore to have grant and petitioners to try law.

July 12. **Address of King Charles the First to the Governor and Planters of Virginia. 5 fol.**

MS. ORIG. P. R. O., Colonial Papers, v. 6, No. 76.
PUB. Md. Arch., v. 3, pp. 22-23.
ABST. Requires them to sell cattle to Baltimore.

MAP. Laet. (Jean de). Novus orbis, sen descriptionis Indiae occidentalis, Lib. 18. Lngd. Bat. Elnerie, 1633.

Cf. Breviate, Pa. Arch., v. 16, p. 656.
"Engraved title and 14 maps, fine copy, calf," with the armorial bookplate of William Penn, Proprietor of Pennsylvania, 1703 and the following ms. inscription on the map of America: "This book was shown to Paul Vaillant and Charles Davis, at the respective times of their examinations taken in chancery on behalf of Thomas Penn and Richard Penn, Esqes., and others complainants against Charles Calvert, Esq., Lord Baltimore, in the Kingdom of Ireland and other defendants. (Signed) Edward Northey."
No. 515 in Puttrick and Simpson [auction] catalogue of . . . the libraries of Wm. Penn. London 1872.
Note. Old Leyden map marked D. V. T. Bought by Thos. Graeme in 1712 at Leyd at auction. "Old Dutch Map." See 1685, Visscher.

Nov. **Petition of Sir John Wolstenholme and other Planters with Captain William Claiborne in Virginia to the Lords of His Majesty's Privy CouncN. 3 fol.**

MS. ORIG. P. R. O., Colonial Papers, v. 6, No. 87.
PUB. Md. Arch., v. 3, pp. 24-25.
ABST. Concerns settlement on Isle of Kent and requests that Baltimore settle elsewhere.

1633/4.

Mar. 14. **Order of Governor and Council of the Colony of Virginia [concerning Claiborne's right to Kent Island].**

MS. COPY. P. R. O., Colonial Papers, v. 8, No. 4.
PUB. Md. Arch., v. 3, p. 32.

1634.

Sept. 15. **Letter. Cecil, Lord Baltimore to Secretary Windebank.**

MS. ORIG. P. R. O., Colonial Papers, v. 8, No. 25.
PUB. Scharf, Hist. Md., v. 1, p. 107.
ABST. Refers to good offices of Gov. Harvey and malicious behavior of Claiborne.

Sept. 18. **Letter. Secretary Windebank to Governor Harvey.**

MS. ORIG. P. R. O., Colonial Papers, v. 8, No. 26.
PUB. Scharf, Hist. Md., v. 1, pp. 107-8.
Md. Arch., v. 3, p. 26.
ABST. Requests Gov. Harvey to assist Lord Baltimore "against the malicious practices of Clayborne."

Sept. 29. **Letter. King Charles I to Governor Harvey.**

MS. ORIG. P. R. O., Colonial Papers, v. 8, No. 27.
PUB. Scharf, Hist. Md., v. 1, p. 108.
Md. Arch., v. 8 p. 26.
ABST. Orders Governor to assist Maryland Colonists and to give freedom of trade with Virginia.

1634.

Oct. Petition of William Clobey and others of Island of Kent to be protected. 7 fol.

MS. ORIG. P. R. O., Colonial Papers, v. 8, No. 32.
PUB. Md. Arch., v. 3, pp. 27-28.

Oct. 8. Letter. King Charles I to Governor and Council of Virginia. 5 fol.

MS. ORIG. P. R. O., Am. and W. I. Va.
ABST. Prohibits Lord Baltimore from disturbing Claiborne at Kent Island.

Oct. 24. Letter from The Assembly of the XIX to the States General.

MS. ORIG. Roy. Arch., Hague, West Indie.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1, pp. 93-95.
ABST. Describes steps taken to settle in America and to keep out the English.

Oct. 25. Resolution of the States General on the difficulties with the English in New Netherlands.

MS. ORIG. Reg. Resol. States Gen., Roy. Arch., Hague.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1., p. 95.
ABST. Resolve "that this State cannot by any means interfere therein . . but . . . permit the Directors [of the West India Company] to speak and confer . . . with . . . the Resident of His Majesty the King of Great Britain."

1634. [Baltimore, *comp.*]. A relation of the successful beginnings of the Lord Baltemore's plantation in Mary-Land; being an extract of certaine letters written from thence by some of the adventurers to their friends in England. [Lond.] 1634.

Copy in British Museum, Cf. Sabin, No. 45316.
Repr. Shea. Early Southern Tracts, No. 1.

1635.

Sept. 8. [Baltimore]. A Relation of Maryland; Together VVith a Map of the Countrey, The Conditions of Plantation, His Majesties Charter to the Lord Baltimore, translated into English. London, 1635.

PUB. Sabin's Repr., 4to., ser. No. 2, N. Y., 1865, pp. 1-65, with appendix pp. 67-73. Cf. Sabin, Dict., No. 45314.
Shea. Early Southern Tracts, No. 1.
Cf. Pa. Arch., ser. 2, v. 16, pp. 230-231, 512-516.
Description of Sir Hans Sloane's copy by his librarian Dr. Stack given in Penn-Baltimore suit, 1740.

MAP. Nova terrae Mariae tabula. T. Cecill, sc. 15x11½ in.

PUB. In Baltimore's "Relation," 1635 ed.
Copies, Library Congress, Lenox, Md. Hist. Soc.
Repr. Sabin, Reprints, 1865.
Jones, Colonization of Middle States, p. 181.
Mathews, Maps and Mapmakers of Md. (reduced).
Cf. Winsor, Narr and Crit. Hist., v. 3, p. 553, footnote.
Note. Based on Smith's "Virginia." Frequently cited in Penn-Baltimore suit. See figures 3 and 5 in present volume.

April Breviate of Captain Claiborne's Petition to his Majesty.

MS. ORIG. P. R. O., Colonial Papers, v. 8, No. 64, I.
PUB. Md. Arch., v. 8 p. 32.
ABST. Prays that Isle of Kent be not included in Maryland.

1635.

April 25. **A Declaration of the Council of New England for the Resignation of the Great Charter.**

MS. COPY. P. R. O., Colonial Papers, v. 8, No. 69.
PUB. Pa. Arch., ser. 2, v. 16 p. 229.
ABST. Cite troubles under old charter and wish a new one.

1637.

May **Petition of Cecil, Lord Baltimore to the King.**

MS. ORIG. P. R. O., Colonial Papers, v. 9, No. 54.
PUB. Md. Arch., v. 3, pp. 43-44.
ABST. Prays that the proposed grant to Virginia may not infringe upon his rights.

May **Order of King to Commissioners for Foreign Plantations.**

MS. ORIG. P. R. O., Colonial Papers, v 9, No. 55.
PUB. Md. Arch., v. 3, pp. 55-57.
ABST. King orders that no patents be prepared infringing on Baltimore's rights and promises never to permit *quo warranto* proceedings.

1637/8.

Feb. 26. **Petition of Captain Wm. Claiborne on behalf of himself and partners to the King.**

MS. COPY. Annapolis (Imperfect).
Proc. Council, 1636-1637, Lib. F, pp. 1-5.
PUB. Scharf, Hist. Md., v. 1, pp. 115-116.
Md. Arch., v. 3, pp. 65-67.
ABST. Gives history of his rights and settlement and asks for confirmation of former commission. Referred to Privy Council same date.

Mar. **Petition of Cecill, Lord Baltimore.**

MS. ORIG. P. R. O., Colonial Papers, v. 9. No. 87.
PUB. Md. Arch., v. 3, pp. 68-70.
ABST. Asks that he may be left to his rights and Claiborne to the land. Against Claiborne.

1638.

April 4. **Report of the Commissioners for foreign Plantations upon a petition of Wm. Clayborne.**

MS. ORIG. (See discussions, pp. 170, 173, also under dates of 1743).
MS. COPY. P. R. O., B. T., Md., v. 1. B. C. p. 34 (o. s.)
Md. Council Proceedings, Liber A, pp. 194-195.
Md. Hist. Soc., Calvert Papers, No. 230 (with annotations)
PUB. Scharf, Hist. Md., v. 1, pp. 116-117.
Md. Arch., v. 3, pp. 71-72.
Pa. Arch., ser. 2, v. 16, pp. 232-233. cf. also pp. 70, 80 110.
Chalmer's Polit. Annals, v. 1. pp. 233-234.
Hazard, Hist. Coll., v. 1, p. 130.
Bozman, Hist. Md., v. 2, p. 584, note xi.

April 30. **Report on the Condition of the Colony of New Netherland.**

MS. ORIG. Roy. Arch., Hague, W. I. C. No. 6.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1, pp. 106-107.
ABST. In answer to the question of the limits of possession states "we occupy Mauritus or the North Rivert, etc." No mention of any holdings on the Delaware at that time since these had been temporarily abandoned.

May 6. **Protest of Sir. William Kieft to Peter Minuit.**

Cf. Pa. Arch., ser. 2, v. 16, p. 234.

May 8. **Letter. Jerome Hawley to Secretary Windebanke.**

PUB. Pa. Arch., ser. 2 v. 5, pp. 56-57.
ABST. Tells of arrival of Swedes and their proposed settlement on Delaware Bay within English territory and asks what shall be done. Mentions Dutch on North River but not on South [or Delaware].

1638.

July 14. Letter. King Charles I to Lord Baltimore.

MS. COPY. P. R. O., Colonial Papers, v. 9, No. 120.
PUB. Scharf, Hist. Md., v. 1, p. 118.
Chalmer's Polit. Annals, v. 1, pp. 232-233.
ABST. Commanding that Claiborne *et al* be allowed to enjoy their possessions in safety until the case is decided.

Oct. 4. Proclamation. Governor and Captain General of Virginia.

MS. COPY. Md. Council Proceedings Liber A, pp. 324-325.
PUB. Scharf, Hist. Md., v. 1, p. 119.
Md. Arch., v. 3. pp. 79-80.
Va. Commiss., Richmond, 1873, pp. 14-15.
ABST. Declares decision of Commissioners of Plantation on petition of Wm. Claiborne that the right and title to the Isle of Kent belong to Baltimore. (Contemporary evidence of the order of 4 April. 1638.)

1639/40.

Jan. 24. Queen Christinia. Grant and privilege for the establishment of a New Colony in New Sweden.

PUB. Pa. Arch. ser. 2, v. 5, pp. 759-763.
Note. "This privilege was first prepared for Lt. Horst, but afterwards given to Henry Hochhammer."

1640.

May Deposition of John Butler.

MS. ORIG. P. R. O., Colonial Papers.
PUB. Md. Arch., v. 5, pp. 212-220.
ABST. That Palmer Island lies in 41 degrees 30" north latitude on the authority of Mr. Hayes, a mariner.
See also deposition of John Ford. Md. Arch., v. 5. p. 232.

1642.

May 15. Resolution. Dutch West India Company. To expell certain Englishmen who have commenced a settlement on the Schuylkill.

MS. ORIG. N. Y. Sec'y. State, Dutch Records, No. 2, fol. 6.
PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 23.
Pa. Arch., ser. 2, v. 7, p. 462; cf. ser. 2 v. 16, p. 235.
ABST. Refers to the attempted settlement from New Haven, Conn., authorized Aug. 30, 1641, similar action taken by the Dutch, Sept. 25, 1642.

May 22. Order, according to which Jan Jansen Ilpendam, Commissary in the Southriver of New Netherland for the West India Company, will have to regulate himself.

MS. ORIG. N. Y. Sec'y State, Dutch Records, No. 2, fol. 6.
PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 23-24.
Pa. Arch., ser. 2, v. 7, p. 462.
ABST. Ordered to demand authority of English and if none is shown to order them to depart.

Aug. 15. Instructions for John Printz, Governor of New Sweden.

MS. ORIG. Palmsköld Mss. Bibliothek Akad. Upsala.
PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 28, in part.
Pa. Arch., ser. 3 v. 5, pp. 766-774.
Pa. Mag. Hist. and Biog., v. 7, pp. 395-419.
ABST. Sec. V gives the frontiers as "from the borders of the sea to Cape Henlopen, in returning southwest towards Godyn's Bay and then towards the great South river as far as Manquaas kill, where is constructed fort Christina [Wilmington] and from thence again towards South river, and the whole to a place which the savages call Sankekan [Trenton?] which is at the same time the place where are the last limits of New Sweden."

1643. Letter. Giles Brent to Governor of the New Netherlands.

MS. COPY. Md. Council Proceedings, Liber P. R., p. 99.
PUB. Md. Arch., v. 3, pp. 134-5.
ABST. During Governor Calvert's absence in asking for return of fugitives the writer uses this clause: "the two governments so nearly bordering which are shortly like to be nearer neighbors in Delaware Bay."

1647.

June 25. **Letter. Director Stuyvesant to Governor Winthrop.**

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 39-40.

ABST. Asks for a conference regarding English claims on Delaware. Answered 17 Aug., 1647. See also Doc. rel. Colonial Hist. N. Y., v. 12, pp. 50-51, 52.

1649. **Declaration. Showing the illegality and unlawful proceedings of the Patent of Maryland.**

MS. ORIG. P. R. O., Virginia, v. 2, p. 133.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, pp. 3-27.
Pa. Arch. ser. 2, v. 5. pp. 118-123.
Md. Arch., v. 5, pp. 175-181.

July 28. **Remonstrance of the Deputies of New Netherlands.**

MS. COPY. Roy. Arch., Hague, W. I. C., No. 30.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1, pp. 271-318, cf. pp. 289-293.
Pa. Arch. ser. 2, v. 5, pp. 124-170, cf. pp. 138-142.

ABST. Gives an account of settlements on Delaware showing the insignificance of the Dutch settlement and control at the time.

1650. **MAP. South, North, East, and Fresh rivers wth map, p. 233.**

Described in Pa. Arch., ser. 2. v. 5, p. 143.

News from New England.

MS. COPY. Roy. Arch., Hague, W. I. C., No. 36.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1, pp. 460-461.

ABST. "The English lay claim to the South river against which the Dutch Governor warmly protested, but the English have answered that they would persist in, and retain possession of what they claim."

1650/1.

Feb. 22. **Observations on the Boundary and Colonization of New Netherlands.**

MS. ORIG. Roy. Arch., Hague, W. I. C., No. 30.
PUB. Doc. rel. Colonial Hist N. Y., v. 1, pp. 359-362, cf. 543, 544, 545.

Note. The statement is made that "no difference has arisen between the Dutch and the English of Virginia on the subject of boundary, because they have not owned what we . . . possess."

1651/2.

Mar. 15. **[Council of State on proposed Dutch-English boundaries in America.]**

MS. COPY. Roy. Arch., Hague, Verbael van de Ambassade naae Engelandt, 1652.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1, pp. 486-487.
Pa. Arch., ser. 2, v. 5, pp. 204-205.

EXT. "Wee say that the English were the First Planters . . . and have plantations there from the southermost part of Virginia in thirtie seven degrees of North latitude, to Newfoundland in Fiftie two degrees; and not knowing of any plantation of the Netherlande:s there, save a small number up in Hudson's River, Wee thinke it not necessary at present to settle the limits."

1652.

Aug. **Lord Baltimore's paper containing reasons why Maryland should be separate from Virginia. 5 fol.**

MS. ORIG. P. R. O., Colonial Papers, v. 11, No. 65.
PUB. Md. Arch., v. 3, pp. 280-281.

1653.

Nov. 6. **Letter. West India Company to the States General, including Description of the Boundaries of New Netherlands.**

PUB. Pa. Arch., ser. 2, v. 5, pp. 206-207.

Note. Claims the Dutch should have from Cape Henlopen (30 leagues south of Sandy Hook).

1653. *Virginia and Maryland.* Or the Lord Baltimore printed case, uncased and answered, ec. Q. London, 1655.

MS. ORIG. P. R. O. State papers colonial, v. 5, No. 27.
PUB. London, 1653.
Force Tracts, rel. to Colonies of N. A., v. 2, No. 9, 1837.
Cf. Allen, Catl. Penn Papers, No. 180.

1653/4.
Mar. 18. License. Lt. Governor Wm. Stone to Captain Thomas Adams.

MS. COPY. Md. Council Proceedings, Liber B, pp. 558-559.
PUB. Md. Arch., v. 3, pp. 300-301.
ABST. Grants authority to trade "with those of the Swedish Nation in Delaware Bay or in any part of this Province."

1654.
May 30. Extract from Propositions made by Director Stuyvesant to his Council in view of a threatened attack of the English.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 75-76.
ABST. Questions advisability of giving up Fort Casimir. Council decided June 2 not to give up the fort.

Nov.17/27. Letter. Ambassadors Beverumgk and Nieupoort to Secretary Ruysch.

PUB. Pa. Arch., ser. 5, v. 5, pp. 216-217.
ABST. Referring to Dutch claims, they say they have not been furnished with satisfactory reasons and arguments though they cannot satisfy themselves "of the unsoundness of the position of those on this side."

1655/6. MAP. Visscher, N. J. Novi Belgii Novaeque Angliae Nic Non Partis Virginiæ. Tabula multis in loci emendata a Nicolao Joannes Visschero. [Amsterdam, about 1655.] 22" x 19".

Cf. Dodd, Mead & Co., Cat. Americana, Apr., 1908, p. 41, and text under heading of 1685 for account of copy bearing the endorsement on the back. "The map by which the Privy Council, 1685, settled the bounds between Lord Baltimore & I, and Maryland & Pennsylvania & Territories, or annexed Counties." W. P. Among the "emendations" referred to is the incorrect location of Cape Hinlopen.
The reproduction in Plate LXXV of the text is from the 1659 edition in the Library of Congress. See footnote, p. 165.
Repr. Asher., List of maps of New Netherlands, 1855, at end.
Note. The location of Cape Henlopen emphasized by Penns, Cf. Breviate, Pa. Arch., ser. 2, v. 16. Later editions (Actus Minor, 1690) show line up peninsula from Henlopen to head of Chesapeake. This is copied in Du Val, 1684; Lea, 1698 (in Thomas, Pa.); Moll, 1715; Nicholls, 1722.
Coleman. Penn Papers, 480. "Sold in Ellis sale London, Nov. 1885 as No. 232." (Winsor, v. 5, p. 272. Note 5). Cf. Pa. Arch., ser. 2, v. 16, pp. 243-244.

Report concerning the hostile and treacherous invasion of the Swedish colony in Nova Svecia by the Dutch. (Official report of Governor Rising.)

PUB. Pa. Arch., ser. 2, v. 5, pp. 224-229.
Cf. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 88-89.
ABST. An account of the capture of Elfsborg, Fort Casimir and Fort Christina.

Oct. 10. Letter. Richard Bennet and Samuel Matthews to Secretary Thurlow.

PUB. Thurloe, State Papers, v. 5, p. 482.
Hazard, Hist. Coll., v. 1, p. 620.
ABST. By Baltimore is re-established in his government people there should be more secure.

Oct. 10. Objections against Lord Baltimore's patent and reasons why the government of Maryland should not be put in his hands. By R. Bennet and S. Matthews.

PUB. Thurloe's State Papers, v. 5, p. 482.
Hazard, Hist. Coll., v. 1, pp. 621-623.
ABST. Baltimore was to have only uncultivated land whereas the Isle of Kent was settled long before his charter.

1656. A paper relating to Maryland.

PUB. Thurloe's State Papers, v. 5, p. 483.
Hazard, Hist. Coll., v. 1, pp. 623-628.

ABST. Answering Baltimore that his grant was surreptitious and exorbitant. Refers to Baltimore's presence with King Charles at Oxford and Bristol.

1656/7.
Jan. 28. Deduction or clear and precise Account of the Condition of the South River situated in New Netherland, and of the unseemly proceedings of the Swedes there; presented to the High and Mighty Lords States General of the United Netherlands. Received 28th January, 1656 (with 10 appendices of documents).

MS. ORIG. Roy. Arch., Hague, W. I. C., No. 9.
PUB. Doc. rel. Colonial Hist. N. Y., v. 1, pp. 587-592.
Pa. Arch., ser. 2, v. 5, pp. 235-263. See also pp. 390-398.

ABST. Records purchased from the Indians by the Dutch northward from Menquaas kill to Bombay Hook.

1657.
April 12. Deed from Stuyvesant to the Burgomasters of Amsterdam of Fort Casimir and the lands thereunto belonging.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 166.

ABST. Conveys land from west side of Christina Creek to mouth of Delaware River, called Boomptyes Hoeck, and so far to the landward as the boundaries of the Minquas' country.

May 27. Extract from the Register of secret resolutions, taken by the Lords-Directors of the West India Company, Department Amsterdam.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 215.

ABST. Stuyvesant to be directed to get rid of all Englishmen on South river and under no circumstances to receive again any one of the English nation. Bill of sale dated June 7, 1659. Cf. loc. cit., p. 243.

1658.
June 7. Letter. Directors of West India Company to P. Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 215-216.
Pa. Arch., ser. 2, v. 7, pp. 535-536.

ABST. Request that "the land from Cape Henlopen to Bomticus Hoeck should be purchased by our orders and then conveyed to their director [Alrichs] there." "No time is to be lost herein, but speed is necessary in order to anticipate thereby other nations, especially our English neighbors."

1659.
May 23. Letter. Jacob Alrichs to Director Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 242-243.
Pa. Arch., ser. 2, v. 7, pp. 566-567.

ABST. Notifies Stuyvesant of rumors that English pretend that this river and land belong to them and that they are about to send persons to take possessions. Asks for soldiers or the presence of Stuyvesant. Only 10 soldiers then at New Amstel.

June 23. [Letter. Vice Director Alrichs to Governor Fendall.]

PUB. Doc. rel. Colonial Hist. N. Y., v. 2. p. 64.
Pa. Arch., ser. 2, v. 5, pp. 314-315.

Note. The first direct communication between the Dutch and Maryland.

June 26. Letter. Jacob Alrichs to Director Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 245.
Pa. Arch., ser. 2, v. 7, p. 569.

ABST. Asks of advisability of sending embassy to Virginia to inquire into the truth of rumors.

1659.

July 8. Instructions to Col. Utie.

MS. COPY. Md. Council Proceedings, Liber H. H., p. 43.
PUB. N. Y. Hist. Soc. Coll., v. 3, p. 368.
Md. Arch., v. 3, p. 365.

ABST. Ordered to go to Delaware Bay settlers to say they are in his Lordship's Province without notice and to require their Governor to depart the province.

July 8. Letter. Governor Fendal to [Jacob Alrichs] Commander of the People in Delaware Bay.

MS. ORIG. Amsterdam. Stad. Huys., V. S., No. 38.
MS. COPY. Md. Council Proceedings, Liber H. H., p. 43.
PUB. O'Callaghan's Hist. of New Neth., v. 2, p. 378.
Doc. rel. Colonial Hist. N. Y., v. 2, p. 67.
Md. Arch., v. 3, p. 365.
Pa. Arch., ser. 2 v. 5, p. 318.

ABST. Denies rights of Dutch and lays claim to Delaware for Lord Baltimore.

July 29. Letter. J. Alrichs to Peter Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 247-248.
Pa. Arch., ser. 2, v. 7, p. 572.

ABST. Confirms belief in rumors and tells of letter sent to Governor of Maryland, via Col. Jud [Utie]. Utie had already informed the Dutch of his commission to visit them.

Aug 16. Letter. J. Alrichs to Burgomaster de Graaff.

MS. ORIG. Amsterdam. Stad. Huys, V. S., No. 55.
PUB. Doc. rel. Colonial Hist. N. Y., v. 2 pp. 68-71.
Pa. Arch., ser. 2. v. 5, pp. 319-323.

ABST. Refers to claim of Lord Balthus Moor [sic] that the territory is in his province which is causing much uneasiness. Also refers to establishment of a settlement at the Whorekill. "The colony is in length along the Bay, about nine leagues, and on the river seven; inland, it is tolerably deep, the next place being about a day's journey off."

Aug. 18. Letter. Jacob Alrichs to Director Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12 pp. 248-249.

ABST. Reports that "Mr. Fendal, who is now on behalf of Lord Balthus Moor (residing in Old England) Governor of Maryland, has strict orders to make a close inquiry and investigation concerning the limits and jurisdiction in his district in these latitudes and in case they are in somebody's possession, to notify the same of it, summon to surrender it and do his further duties according to his power and the circumstances of the case." This becoming public caused such fright as to stop all work.

Sept. 4. Letter. Director Stuyvesant to Directors of West India Company.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 249-250.
Pa. Arch., ser. 2, v. 7 p. 574.

ABST. Fears that attack may be made on South river by the Swedes backed by the English. Knows that Baltimore has sent instructions to his Governor concerning boundaries.

Sept. 9. Protest of the Vice-Director Alrichs and Council of New Amstel against Colonel Utie.

MS. COPY. Amsterdam. Stad. Huys., V. S., No. 42. (Holland Documents xvi., 117).
PUB. Doc. rel. Colonial Hist. N. Y., v. 2, pp. 73-75.
ABST. Object to his claims and manner of action and demand proof of his statements.

Sept. 9. Letter. Jacob Alrichs to Director Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 250-1.
Pa. Arch., ser. 2, v. 7, pp. 575-576.

ABST. Tells of arrival of Colonel Utie and party and says that unless Stuyvesant sends reenforcements or comes himself they cannot hold out.

1659.

Sept. 12. Letter. William Beekman to Director Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 252-253.
Pa. Arch., ser. 2, v. 7, pp. 577-578.

ABST. Representing the W. I. Co. he reports the demands and sayings of Col. Utie.

Sept. 17. Letter. Governor Stuyvesant to Directors of West India Company.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 254.
Pa. Arch., ser. 2, v. 7, p. 579.

ABST. Describes deplorable condition of New Amstel, hardly thirty families remaining and only eight to ten soldiers, with perhaps as many more at the Horekil.

Sept. 18. Letter. Governor Stuyvesant to Director of West India Company.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 254-255.
Pa. Arch., ser. 2, v. 7, p. 580.

ABST. Encloses letters from South river and asks for men and ammunition.

Sept. 20. Letter. Vice-Director J. Alrichs to Commissioners of the Colony on the Delaware.

MS. ORIG. Amsterdam. Stad. Huys., V. S., No. 54.
PUB. Doc. rel. Colonial Hist. N. Y., v. 2, pp. 75-76.
Pa. Arch. ser. 2, v. 5, pp. 328-329.

ABST. Notifies them of Maryland claims.

Sept. 20. Letter. William Beekman to Director Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 255-256.

ABST. Hears that 500 Marylanders are ready to act on notice but doubts it. Has sent out spy and asks for reenforcements.

Sept. 21. Letter. Jacob Alrichs to Director Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 257.
Pa. Arch., ser. 2, v 7, p. 583.

ABST. Has engaged yacht to convey letter as he has tried twice before to get word of English demands but has not heard of their receipt by Stuyvesant.

Sept. 21. Letter. William Beekman to Director Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 258.
Pa. Arch., ser. 2, v. 7 p. 584.

ABST. Says Alrich and d'Hinojossa are much disturbed about English while he thinks little will be attempted.

Sept. 23. Letter. Director Stuyvesant to Messrs. Alrichs and Beekman.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12 p. 259.
Pa. Arch., ser. 2, v. 7 p. 585.

ABST. Rebukes the representatives of the Amsterdam Coloney (New Amstel) and the West India Co. for their frivolous treatment of Col. Utie.

Sept. 23. Commission of Cornelius Van Ruyven and Martin Creiger to regulate affairs at the Delaware.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12 pp. 260-261.
Pa. Arch., ser. 2, v. 7 p. 586.

Note. Commissioners with sixty men arrived at New Amstel September 26, 1659.

Sept. 23. Letter. Governor Peter Stuyvesant to Governor of Maryland.

MS. COPY. Md. Council Proceedings Liber H. H., pp. 44-45.
PUB. Md. Arch., v. 3, pp. 366-367.

ABST. Complains of Col. Utie's actions and accredit Herman and Waldron.

1659.

Sept. 23. Credentials. Governor Peter Stuyvesant to Augustine Heermans and Resolveed Waldron.

MS. COPY. Md. Council Proceedings, Liber H. H. pp. 46-47.
PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 261-262.
Md. Arch. v. 3, pp. 367-369.
Pa. Arch., ser. 2, v. 7, pp. 586-588.
ABST. Authorizes them to ask for the return of fugitives and the punishment of Col. Utie and to treat with the Governor of Maryland.

Sept. 30. Letter. William Beekman to Director Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y. v. 12, p. 264.
Pa. Arch., ser. 2, v. 7, p. 590.
ABST. Tells of the refusal of Swedes to aid in resisting English and justifies his action in not arresting Col. Utie.

Oct. 6. Declaration and Manifestation delivered to Governor of Maryland on behalf of Governor of New Netherlands by Augustine Herman and Resolved Waldron.

MS. ORIG. Roy. Arch., Hague, L. No. 49.
MS. COPY. Md. Council Proceedings, Liber H. H., pp. 48-55..
PUB. Md. Arch., v. 3, pp. 369-375.
Pa. Arch., ser. 2, v. 5, pp. 332-337 (another translation).
N. Y. Hist. Soc. Coll., v. 3, p. 373 (incorrect translation).
Doc. rel. Colonial Hist. N. Y., v. 2, pp. 80-84.
ABST. Claims Dutch have prior rights through Spanish and that England recognized this by keeping New England and Virginia 100 leagues apart. Demands that Dutch and Swedish runaways be returned. Proposes that Commissioners be appointed to settle the bounds between the Dutch and English.

Oct. 7. Letter. Governor and Council of Maryland to Governor and Council of New Netherlands.

MS. COPY. Amsterdam. Stad. Huys., v. 3, No. 49.
Md. Council Proceedings, Liber H. H., pp. 53-57.
PUB. Md. Arch., v. 3, pp. 375-377.
N. Y. Hist. Soc. Coll., v. 3 pp. 384-385.
Scharf, Hist. Md., v. 1, pp. 250-251.
Pa. Arch., ser. 2, v. 5, pp. 340-341.
ABST. Reply to Dutch demands denying Dutch claims and asserting States General had denied sanction of Delaware settlements.

Oct. 7. Answer. Herman and Waldron to Governor and Council of Maryland.

MS. COPY. Md. Council Proceedings, Liber H. H., p. 58.
PUB. Md. Arch., v. 3, pp. 377-378.
N. Y. Hist. Soc. Coll., v. 3, p. 384.
Pa. Arch., ser. 2, v. 5, pp. 339-340.
Doc. rel. Colonial Hist. N. Y., v. 2, pp. 85-86.
ABST. First time "inculta" claim is argued against Baltimore's title to Delaware.

Oct. 6-9. Minutes. Maryland Council. Concerning Mission of Dutch Embassy.

MS. ORIG. Md. Council Proceedings, Liber H. H., pp. 44-59.
PUB. Md. Arch., v. 3, pp. 366-378.
ABST. Contains an account of various interviews and copies of above-mentioned papers.

Oct. 16. Letter. Director Alrichs and Council to Messrs. Van Ruyven and Creiger.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12 pp. 272-279.
ABST. Recites former attempts of English to show that act of Marylanders was not caused by deserters but was result of deliberation (278).

1659.

Oct. 21. Journal of Augustyn Herman's journey to Annapolis. Sept. 30, 1659-Oct. 20, 1659.

PUB. Albany Records, v. 18, pp. 337-364.
Doc. rel. Colonial Hist. N. Y., v. 2, pp. 88-89.
Pa. Arch., ser. 2, v. 5 pp. 340-357.
Hazard's Annals of Pennsylvania (abstract).
Scharf, Hist. Md., v. 1, pp. 244-248 (abstract).

Note. 18 Oct. Herman reads Maryland charter and notes bearing of the phrase "*hactenus inculta*" for the first time.

Oct. 21. Report of Messrs. Heermans and Waldron to Director Stuyvesant.

MS. COPY. Amsterdam. Stad. Huys., V. S., No. 48.
PUB. Doc. rel. Colonial Hist. N. Y., v. 2, pp. 99-100.

Dec. 12. Letter. J. Alrichs to the Commissioners of the Colonie on the Delaware River.

MS. ORIG. Amsterdam. Stad. Huys., V. S., No. 50.
PUB. Doc. rel. Colonial Hist. N. Y., v. 2, pp. 112-114.
Pa. Arch., ser. 2, v. 5, pp. 371-374.

ABST. Gives account of Dutch Embassy to Maryland.

Dec. 24. Letter. Skipper Huys to the Commissioners of the Colonie on the Delaware River.

MS. ORIG. Amsterdam. Stad. Huys., V. S., No. 51.
PUB. Doc. rel. Colonial Hist. N. Y., v. 2, pp. 114-116.

ABST. "The cause and pretence which the English of Maryland set up, proceed only from one Baltmo; and from some of our own people who went thither from here and afterwards persuaded the English that they could take the place without much difficulty."

Dec. 26. Letter. Director Stuyvesant to Directors of West India Company.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 288-289.
Pa. Arch., ser. 2, v. 7 pp. 617-619.

ABST. Refers to Herman and Waldron embassy and encloses full account.

1659/60.

Mar. 9. Letter. Directors Dutch West India Company to Governor Stuyvesant.

QUOTED: Scharf, Hist. Md., v. 1, p. 251.

ABST. "Our claims and rights on the lands upon South river are indisputable not so much (which, however, is the case) as first occupants but by real purchase from the natives."

Mar. 15. Letter. Wm. Beekman to Director Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 298-300.
Pa. Arch., ser. 2, v. 7, pp. 626-628.

ABST. Refers to rumor that Lord Baltimore is in Maryland about to attack with 500 men and asks for instructions.

1660.

April 20. Commission. Lord Baltimore to Captain James Neale.

Cf. Pa. Arch., ser. 2; v. 5, p. 378.

ABST. Orders Captain Neale to protest to Dutch W. I. Co. and to demand whether or not they acknowledge the cultivation of the colony at New Amstel and if so to demand their submission.

May 25. Letter. William Beecqman to Director Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 312-313.

ABST. Refers to a letter from Augustine Herrman dated 16-26 Apr. stating that "they are busy over the separation of the boundaries, to be thus relieved of further quarrels with those of Deluwaer bay."

1660.

July 3. Letter. Charles II to Governor of Virginia.

MS. COPY. Roy. Arch., Hague, W. I., Comp. No. 48.
PUB. Pa. Arch., ser. 2, v. 5, p. 380.
Doc. rel. Colonial Hist. N. Y., v. 2, p. 118.
ABST. Asks Governor to assist in establishing jurisdiction of Lord Baltimore, "as the same existed last January [i. e. before Fendal's revolt] according to his patent or charter of said Provinces."

July 20. Instructions. Lord Baltimore to Captain James Neale.

MS. COPY. Md. Council Proceedings, Liber H. H.
PUB. Md. Arch., v. 3, pp. 427-428.
Cf. Pa. Arch., ser. 2, v. 5, pp. 380-381.
ABST. Ordered to train men willing to attack enemies upon the shore within the limits of our Province.

July 24. Instructions. Lord Baltimore to Capt. James Neale.

PUB. Pa. Arch., ser. 2, v. 5, p. 381.
ABST. Renews instructions to ask of Dutch West India Company whether or not they claim Delaware territory.

July 24. Commission. Lord Baltimore to Captain James Neale.

MS. ORIG. Roy. Arch., Hague, W. I., Comp. No. 48.
PUB. Pa. Arch., ser. 2, v. 5, pp. 380-381.
Doc. rel. Colonial Hist. N. Y., v. 2, p. 119.
ABST. Same commission and order.

Aug. 17. Extracts from minutes of the Deputies of the General Incorporated West India Company, representing the Assembly of 19, at Amsterdam, relating to boundary controversy.

MS. ORIG. Roy. Arch., Hague, W. I. C., No. 48.
PUB. Doc. rel. Colonial Hist. N. Y., v. 2, pp. 116-123.
Pa. Arch., ser. 2, v. 5, pp. 377-385.
Contains. Minutes of Meeting 17 Aug.—25 Sept. 1660.
Protest of Capt. James Neale on behalf of Lord Baltimore.
Confirmation of Baltimore's rights by Charles II.
Second commission to James Neale.
Answer of Deputies to Baltimore's claim.

Aug. 17. Proceedings. West India Company.

PUB. Pa. Arch., ser. 2, v. 5, pp. 377-399.
ABST. Protest of Lord Baltimore through Captain James Neale laid by latter before West India Company at Amsterdam, 17 Aug. 1660, demanding surrender of plantation of New Amstel district on south side of De la Ware Bay within limits of his patent. Company ask King to negotiate boundary of South river and North river [N. Y.] settlements.

Sept. 20. Letter. Directors Dutch West India Company to Director Stuyvesant.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 326-327.
ABST. Encloses papers bearing on Baltimore's protest and pretended rights to the City's colony [New Amstel] and orders that colony be protected until this affair shall have been discussed and settled between the Honble Envoys of this State and the King of England.

Nov. Letter. Josiah Cole to George Fox.

PUB. Bowden, Hist. of Friends in America, v. 1, p. 38.
Quoted in Fisher, Pa., p. 2; Jenkins, Pa., v. 1, p. 193.
ABST. Susquehanna Indians tell him there is no land habitable or fit for situation beyond Baltimore's liberty till Susquehanna fort.
Note. Cole was commissioned to treat for Fox with the Indians. It is believed that this first suggested to Penn, then a student at Oxford, the thought of founding a Quaker colony. Cf. Jenkins, Pa., v. 1, p. 193.
The description favors the location of Susquehanna fort as given by Herrman's map and claimed by Baltimore rather than at Octoraro Creek as claimed by Penns.

1660.

Nov. 5. **Remonstrance of the West India Company to the States General.**

MS. ORIG. Roy. Arch., Hague, W. I. C., No. 40.
PUB. Doc. rel. Colonial Hist. N. Y., v. 2, pp. 131-132.
Pa. Arch., ser. 2, v. 5, pp. 387-389.

ABST. Objects to English encroachments, including that of Maryland, and requests that Dutch ambassadors in England see that Lord Baltimore desist or at least, allow matters to remain in *statu* until commissioners can agree upon a boundary.

Nov. 5. **Deduction, or brief and clear account of the situation of New Netherlands; who have been its first discoverers and possessors, together with the unseemly and hostile usurpation committed by the English neighbors on the lands lying there within the limits of the Incorporated West India Company.**

PUB. Doc. rel. Colonial Hist. N. Y., v. 2, pp. 133-139.
Pa. Arch., ser. 2, v. 5, pp. 390-398.

ABST. Gives history of settlement and discusses character of Baltimore's claims, from the Dutch viewpoint.

Dec. 14. **Letter. Lord Baltimore to Captain Neale.**

MS. COPY. Md. Council Proceedings, 1657-1660, Liber H. H.
PUB. Md. Arch. v. 4, pp. 426-430.

ABST. "I hope when he comes you and he and my other friends will think upon some speedy and effectual waye for Reducing the Dutch in Delaware Baye. The New England men will be assisting in itt and Secretary Ludwell of Virginia assured me before he went from hence that the Virgineans will be soe too But it were well to be done with all Celerity convenient because the New England men falling upon them at Manhatas may take it in the head to fall upon them at Delaware too and by that meanes pretend some title to the place."

1661.

July 1. **Minutes on consideration of Captain Neale's Instructions.**

MS. ORIG. Md. Council Proceedings, 1660-1661, Liber H. H.
PUB. Md. Arch., v. 4, pp. 426-430.

ABST. "Resolved that all attempts be foreborne against the said town of New Amstell till such tyme as letters from his lop may again be had." Position taken on account of doubts as to true latitude and the resolute position of the Dutch.

July 21. **Letter. Director Stuyvesant to Directors of Dutch West India Company.**

PUB. Doc. rel. Colonial Hist. N. Y., v. 12 pp. 347-349.

ABST. Refers to Maryland's claim of the south bank of the Delaware and the fact that Governor Calvert had been ordered to prosecute his claim by all possible means since Lord Baltimore's charter had been confirmed by the King.

1661/2.

Jan. 27. **Letter. Directors in Holland to Director General and Council.**

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 359 (extract).

Note. Refers to offer by Governer of Maryland to make a provisional boundary, which apparently was declined without reference to them, cf. 15 July, 1662.

1662.

July 15. **Letter. Director Stuyvesant to Directors of Dutch West India Company.**

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 389-391.

ABST. Says that offer of a provisional settlement of the boundary question had been proposed and made to Director d'Hinoyossa and that this had not been referred to Commissary Beeckman nor himself.

Nov. 24. **Letter. William Beeckman to Director Stuyvesant.**

PUB. Doc. rel. Colonial Hist. N. Y. v. 12, pp. 417-418.

ABST. Refers to conference between Governor of Maryland and d'Hinoyossa at Bohemia Manor and the new patents received by Lord Baltimore, which include the Delaware region.

1663.

Aug. 15. Letter. William Beekman to Director Stuyvesant and Council.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 437-438.
Pa. Arch., ser. 2, v. 7, pp. 704-705.

ABST. Charles, Lord Baltimore, visits New Amstel and Altena with retinue. Attempts on the part of van Sweeringer to settle a boundary are referred to "Old [Cecil] Lord Baltimore" in England.

Sept. 11. Letter. Directors of the West India Company to the Director General and Council of New Netherlands.

PUB. Doc. rel. Colonial Hist. N. Y. v. 12, pp. 440-442.
Pa. Arch., ser. 2, v. 7, pp. 707-709.

ABST. Announces cession of all South river to the City of Amsterdam and orders evacuation of Fort Christina with removal of Company property and surrender of all that concerns the Colony. A similar letter under date of Sept. 13, 1663, was sent to Vice-Director Beeckman.

Dec. 22. Deed, transferring to the Burgomaster of Amsterdam, Holland, all the country on the Delaware.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 449.
Pa. Arch., ser. 2, v. 7, p. 715.

ABST. Conveys "the said South river from the sea upwards to as far as the river reaches, on the east side inland three leagues [12 miles] from the bank of the river on the west side as far as the territory reaches to the English Colony, with all streams, kils, creeks, pors, bays, and outlines belonging thereto."

1663/4.

Mar. 12. Grant of New Netherlands, etc. Charles II to the Duke of York.

MS. ORIG. N. Y. Book of Patents, v. 1, p. 169.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 211.
PUB. Doc. rel. Colonial Hist. N. Y., v. 2, pp. 295-298.
Pa. Arch., ser. 2, v. 16, pp. 8-9 (extract); pp. 96, 97, 245, 700.
Del. Registrar, pp. 88-89.
Annals of Del., ch. 3.

ABST. Grants territory eastward from east side of Delaware Bay.
Cf. also grant of 1674 (June 29).

1664.

Apr. 2-26. Inspeximus of New York Records.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 147.

ABST. Contains copies of Duke of York's grant; commission of Nicholls. Made Oct., 1735 under Great Seal of N. Y. [Parchment].

Another copy made Oct. 20, 1735.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 150.

June 24. Copy of part of a Deed from his Royal Highness James, Duke of York, etc., to the Lord Berkley, Baron of Stratton and Sir Geo. Carteret, Knight and Baronet taken from the publick Registry kept in Secy's office at Burlington, N. J.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 212.

ABST. This is part of the deed for East and West Jersey.

Sept. 2. Letter. Gov. Stuyvesant to Rich. Nicolls.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. xii-xv.

ABST. Stuyvesant acknowledges letters of 20/30 August 1664. States his commission of 26 July, 1646, based on grant of States General to Dutch West India Company in 1621 as strong as any granted by English. Denies undisputed possession by English. [The dates appear to conflict on account of differences in Dutch and English calendars.]
Cf. Pa. Arch., ser. 2, v. 16, p. 248.

1664.

Sept. 3. Commission to Sir Robert Carr to subdue the Dutch settled in Delaware Bay.

MS. COPY. P. R. O., B. T., v. 16, p. 32.
PUB. Smith, Hist. N. J., 1765, p. 47.
Doc. rel. Colonial Hist. N. Y., v. 3, p. 70; v. 12, p. 458.
Pa. Arch., ser. 2, v. 5, p. 536.

Sept. 3. Instructions to Sir Robert Carr for the reducing of Delaware Bay and settling the people there under his Majesties Obedience.

MS.
PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. xvi-xvii, 457-458.
Pa. Arch., ser. 2, v. 5, pp. 536-537; v. 7, pp. 719-720; v. 16, pp. 250-251.

ABST. "You have commands to keep possession therof for his Maties own behalf and right . . . and if my Lord Baltimore doth pretend right thereto by his Patent (which is a doubtful case) you are to say that you only keep possession till his Maties is informed and satisfied otherwise."

Aug. 27. } Articles between Dutch and English.
Sept. 6. }

PUB. Doc. rel. Colonial Hist. N. Y., v. 2 p. 250.
Pa. Arch., ser. 1, v. 1, pp. 25-27.

ABST. This terminated the Dutch power in America. Preliminaries began Aug. (19) 29 and were concluded by this agreement. Correspondence. Pub. Doc. rel. Colonial Hist. N. Y., v. 12.

Oct. 1. Articles of Agreement between Sir Robert Carr and the Dutch and Swedes inhabiting in Delaware Bay and rivers. 5 fol.

MS. COPY. P. R. O., B. T., N. Y., v. 1, p. 169.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, p. 71.
Pa. Arch., ser. 2, v. 5, pp. 544, 545 547; v. 16, p. 251.
Proud, Hist. Pa., v. 1, p. 128.

Oct. Letter. Colonel Richard Nicolls to Sir H. Bennett, Secretary of State. 5 pp. fol.

MS. ORIG. P. R. O., Am. & W. T. (o. s.).
PUB. Pa. Arch., ser. 2 v. 5, pp. 541-543.

ABST. Thinks Baltimore will be more solicitous to secure from His Majesty than from the powerful Amsterdam, "and that his Lordpp will make a faire pretence to it by his pattent: But I hope that His Maty will either looke upon his pattent for Governour as forfeited by act of Parliament for trading with the Dutch, or, at least, so much of his pattent as has been reduced at His Majesty's charge."

July 22 } Inspeximus of New York Records: Letter from Governor Win-
Oct. 1. } throp, Commissions to Governor Nicholls and other documents relating to Dutch on the Delaware. [Parchment].

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 151. Made October 20, 1735.

Oct. 24. Commissioners warrant to Colonel Richard Nicholls to go to Delaware Bay.

PUB. Pa. Arch., ser. 2, v. 5, p. 551.

1665/6.

Feb. 16. Instructions. Cecil Lord Baltimore to Charles Calvert.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 213.

1666.

April 9. Letter. Colonel R. Nicolls to Lord Arlington.

PUB. Pa. Arch., ser. 2, v. 5, pp. 569-571.

ABST. Still hold west side without patent. "Lord Baltimore can never make good his pretences within twenty miles of any part of the River." "All that tract of land to the West side and East side of Delaware River which was recovered to His Maties dominions from the hands of the Burgomasters of Amsterdam, which was twenty miles distance from east side of the River."

1667. MAP. Nova Belgica et Anglia Nova. 19½x15 in.

In Blaau, Le grand atlas, Amsterdam, 1667, v. 12, p. 17.

Note. Shows Cape Henlopen at its present position, not at the "false cape" as in Visscher, 1659, etc.

1668.

June 16. Exemplification of a grant on west side Delaware Bay to Isaac Halme and others. [Parchment].

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 146. Made Aug. 18 1735.

Note. One of many grants by Agents of Duke of York showing practice of the time.

1669.

July 28. Instructions. Cecil, Lord Baltimore to Charles Calvert.

PUB. Md. Arch., v. 5, pp. 54, 55.

ABST. Settlement upon "Seaboard side of Eastern Shoar and on Delaware Bay within the Degree forty Notherly Latitude and particularly the Whorekill [Lewes] to be encouraged, and manors for the proprietor to be laid out at the Whorekill and on the Eastern Shore."

Oct. 22. Order of Survey. Maryland Council to Jerome White, Surveyor General.

MS. ORIG. Md. Council Proc., Liber A. M., pp. 14, 24, 25.
PUB. Md. Arch. v. 5, pp. 57, 58.

ABST. Surveyor General ordered to make out "Northly bounds of this province as near as possible as the degree forty and return his observations to the Deputy Lieuts. in Council."

Ordered that the Surveyor General [Jerome White] be accommodated by Wm. Brookes, Governor's steward, with provisions and men and the Governor's sloop to go up the Bay by the 29th of Oct.

Nov. 26. Letter. Jerome White, Surveyor-General of Maryland, to Colonel Francis Lovelace, Governor of New York.

MS. COPY. Md. Council Proc., Liber A. M., pp. 23, 24.
Md. Hist. Soc., Calvert Papers, No. 216.
Minutes of Md. Council, Oct. 22, 1669.
PUB. Md. Arch., v. 5, p. 58.

ABST. In obedience to orders of Maryland proprietor to survey all of the land mentioned in his patent on the sea-board side of the Delaware to the degree 40, by observation taken this day at New Castle, finds it to lie in 39 degrees and 30 minutes north latitude, which is 30 minutes south of the north bounds of the patent. Understanding that New Castle, since the conquest from the Dutch by his Majesty's forces is claimed for the Duke, he is constrained to acquaint him with the claim he makes for the Maryland proprietor, i. e., to the New Castle and adjacent territories from the bounds of Virginia to degree 40.

Dec. 31. Letter. Matthias Nicolls of New York to Colonel Nicolls of London. 5 fol.

MS. ORIG. P. R. O., B. T., N. Y., v. 1, B. A., p. 40.
PUB. Pa. Arch., ser. 2, v. 5, pp. 852-853.

ABST. "Mr. White, Surveyor General of Maryland, made claims to the west side of Delaware river on behalf of Lord Baltimore, but did not succeed in establishing obedience."

1670.

Dec. 23. Commission from William Talbott to William Stervens and James Weedon.

MS. ORIG. Md. Council Proc., Liber A. M., pp. 43-44.
PUB. Md. Arch., v. 5, pp. 63-64, 79-80.

ABST. Appoints them deputy surveyors for the seaboard side on Delaware Bay within 40th degree, and particularly at Whorekill.

Dec. 23. Proclamation by William Talbot, Secretary of Maryland.

MS. ORIG. Md. Council Proc., Liber A. M., pp. 47-48.
PUB. Md. Arch., v. 5, pp. 63-64, 78-79.

ABST. According to instructions gives conditions of plantation on Eastern Shore or Delaware Bay.

1670.

Dec. 24. **Commission from Lieutenant General and chief Governor, Charles Calvert, appointing James Weedon to be Deputy Surveyor, 24, Dec. 1670.**

MS. COPY. Md. Council Proc., Liber A. M., pp. 45, 46.
PUB. Md. Arch., v. 5, pp. 80, 81.

ABST. Jerome White, the Surveyor-General, being absent from the province and on account of the necessity for a Deputy Governor on the Seaboard side to speedily settle those parts and the Governor "reposing Especial trust and Confidence in your ability Skill and Circumspection in the Art of Surveying in the laying out of Lands and Running out of Lines" he is empowered to act as Deputy Surveyor.

Note. On account of his recognized merit as a surveyor Weedon may have been the "artist" with Charles, Lord Baltimore, in his observations at New Castle, 1681, and later. No surveyor's name is mentioned in reports of proceedings at these later times. In other commissions from Wm. Talbot, secretary, printed in connection with the above Weedon is to act jointly with Wm. Stevens to grant warrants for the settling of the Seaboard side of the Eastern Shore showing that he was employed in the region of the boundary dispute.

1670/1.

Mar. 21. **Order. Cecil Baltimore enlarges on his instructions of July 28, 1669, making them retroactive as to settlement of Eastern Shore, [etc.]**

Cf. Md. Arch., v. 5, pp. 63, 64.

May 1. **Copy of confirmation made by Colonel Lovelace, Governor of New York, of land on west side of Delaware Bay. 3 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 220, 221.

May 18. **Minutes. New York Council. Regarding Whorekill affairs.**

PUB. Doc. rel. Colonial Hist. N. Y., v. 12 p. 479.
Pa. Arch., ser. 2, p. 734.

ABST. Letter sent to Governor of Maryland asking opinion of a certain disaster whether it occurs in Maryland or his R. H. dominions. This happened near Cape Henlopen.

1671. **Ogilby, (John) America. An accurate description of the new world and its inhabitants, also the remarkable voyages thither, the conquest of Mexico, Peru, [etc.]. London, 1671.**

"Numerous curious plates, Maps, portraits, etc. Calf gift bound by Clarke and Bedford, royal folio. The armorial bookplate of "William Penn, Esq., founder of Pennsylvania 1705. Inserted." No. 534 in Puttick & Simpson: [auction] catalogue of . . . the libraries of William Penn and his descendants. London, 1872.

See deposition of John Paris. Pa. Arch., ser. 2, v. 16, pp. 512-516.

Note. The map often referred to from this volume is probably a modification of Visscher's. 1656. See later, under 1685.

1671. **Contains MAP. Novi Belgii quod nunc Novi Jorck vocatur. 13½x11½ in. at p. 168.**

Map. Nova terrae-Mariae tabula (a revision of the Lord Baltimore map of 1635), at p. 183.

Note. The latter map shows Md. extending to 40th degree, including site of Phila., as claimed by Baltimore.
Cf. Pa. Arch., ser. 2, v. 16, p. 272.

1672.

April 27. **Certificate of William Tom and others relative to the presence of Mr. Jenkins, a Maryland surveyor, at the Horekil.**

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 496.

ABST. Simply gives information of incident and asks for instructions.

May 17. **New York Council Minute of Meeting.**

PUB. Doc. rel. Colonial Hist. N. Y., v. 12 pp. 496-497.

ABST. Approve resistance of magistrates to Maryland surveyors.

1672.

June 19. That part of Maryland beginning at southermost part of Rehobeth Bay and thence northward along the seaboard side up Delaware Bay to degree 40 is erected into a county called Worcester by Cecil Calvert and proclaimed as such by the Governor his son. 19-20 June, 1672.

Cf. Md. Arch., v. 5, pp. 108-110. Liber A. M., 99-100.

July 11. Order. Charles Calvert to Captain Marsh to proceed against any enemies shown him by Captain Jones commander of the forces in Worcester County.

Cf. Md. Arch., v. 5, p. 111.

Aug. 12. Letter. Governor Lovelace to Governor Philip Calvert of Maryland.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 500.
Pa. Arch. ser. 2, v. 7, pp. 749-750.
Proud, Hist. Pa., v. 1, p. 632.

ABST. Remonstrates against behavior of Captain Jones at Whorekill and demands his punishment.

Sept. 27. Letter. John Carr to Governor Lovelace.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 503.
Pa. Arch., ser. 2, v. 7, p. 753.

ABST. Says Marylanders are levying troops to reduce west side of Delaware as high as degree forty.

Oct. 7. Letter. Governor Lovelace to Captain Carr on plunder [etc.] of Whorekill by Marylanders.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 504.
Pa. Arch., ser. 2, v. 5, pp. 624-627.
Pa. Arch., ser. 2, v. 7, pp. 753-754.
Proud, Hist. Pa., v. 1, pp. 132-133.

ABST. Orders inhabitants to put themselves in readness for defense.

Dec. 10. Letter. Captain Cantwell to Governor Lovelace.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 505.
Pa. Arch., ser. 2 v. 7, p. 755.

ABST. Sent to remonstrate in Maryland he says that he saw the Governor confirm Captain Jones' commission.

1671/3. Extract from the Registry Books kept by James Weedon and Francis Jenkins, surveyors of land on seaside and Delaware Bay.

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 218, 219.
Grants of land on or near Delaware. Copy made about 1750. For contents see Md. Hist. Soc., Fund Publications, No. 28, p. 94.

1673.

Aug. 12. Commission to Gov. Colve.

PUB. Proud, Hist. Pa., v. 1, pp. 134-135.

ABST. Colve's control to 15 m. south of Cape Henlopen.

1673/4.

Jan. 2. MAP of Virginia and Maryland as it is planted and inhabited this present Year 1670 Surveyed and Exactly Drawn by the Only Labour & Endeavor of Augustin Herrman, Bohemiensis. Copyrighted Jan. 2, 1674.

Cf. Mathews, Maps and Map Makers of Maryland, 1898, pp. 368-386.
This is the best map of the Maryland-Delaware region at the time of Penn's grants and deeds of feoffment. It locates the Susquehanna Fort directly on the 40th degree, cf. Letter, 1680, June 23.

1673/4.

Jan. 14. **Proclamation by Governor Colve sent to the Delaware on an invasion of the District by Maryland people.**

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 511.
Pa. Arch. ser. 2, v. 5, p. 852; v. 7, p. 761.

ABST. All refugees to be cared for and all inhabitants to be under orders of Commander Alrigs [Alrichs].

Feb. **Treaty between Dutch and English.**

Cf. Pa. Arch., ser. 2, v. 16, p. 9.

Note. This restores New Netherlands to the English.

1674.

June 29. **Grant. Charles II to James, Duke of York.**

MS. ORIG. 26 Car. II., 1674, cf. p. 10.
PUB. Pa. Arch., ser. 2, v. 16, p. 283 (extract).

ABST. Confirms grant of 1664 lest title should be affected by temporary Dutch occupancy. Same limits to territory as in original grant. No reference to western shore of Delaware.
Cf. also. grants of 1682 (Mar. 22) and 1683 (May). The latter stopped by Baltimore's petition.

Letter. John Werden to Governor Andros.

MS. COPY. P. R. O., N. Y. Entries CLI, 24.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, pp. 246-247.

ABST. "I should be glad [if the title to Delaware] were confirmed in the Duke's possession by a better title, yn this, wch, indeed, to an ordinary person would not be very secure."

Oct. 31. **Dutch New York City surrender to Governor Andros.**

Pa. Arch., ser. 2, v. 5, p. 48.

Nov. 3. **Letter. Gov. Andros to Governor of Maryland.**

MS. COPY. N. Y. Secy. State. Records, No. 1, fol. 7.
PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 513-514.
Cf. Pa. Arch., ser. 2, v. 16, pp. 284-285.

ABST. Informs them of the retaking of New York and the Delaware from the Dutch.

Nov. 26. **Commission to Captain Cantwell and Mr. William Toun to receive Newcastle in Delaware and any other part of the country . . . . particularly at the Whorekill.**

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 515.
Pa. Arch., ser. 2, v. 7, p. 763.

1675. **Inspeximus of New York Records; Boundaries of neighboring Colonies, Nicholl's Commission; Duke of York's Grant; and other documents relating to settlements on Delaware. [Parchment].**

MS. COPY. Md. Hist. Soc., Calvert Papers No. 152. Made July 29, 1740.

Sept. 23. **Copy of Paper setting out the payments agreed upon for purchasing land on Delaware River of the Indians. 1 p. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 225.

ABST. "Note. York government purchased of the Indians such lands only; upon west side of ye Delaware as lay to ye northward of the line of 40— for as to the few settlements below, and New Castle Town, they clearly expected orders, as I observed in my former, to surrender them up to Maryland [the Lord Proprietor] 61 years ago."

1676.

April 10. "A draft of Generall Enquirys to be Sent to the Governors of his Matys Plantations."

MS. ORIG. Unsigned. Spread upon minutes of meeting of Committee of Trade and Plantations. Whitehall, April 10.
MS. COPY. Colonial Entry Book, No. 104. P. R. O., Liber A. M., 99-100.
PUB. Md. Arch., v. 5 p. 125-128.

[Query]. 12. What are the boundaries, longitude, latitude and contents of the land within your Government, what number of acres, patented, settled or unsettled?

April 10. Privy Council Committee of Trade and Foreign Plantations. Circular letter to Ld. Baltimore transmitting heads of enquiry.

MS. ORIG. Spread upon the Minutes of meeting for April 10 1676.
MS. COPY. P. R. O., Colonial Entry book, v. 52.
PUB. Md. Arch., v. 5, pp. 128-130.

[Query]. 10. What are the Boundaries, Longitude, Latitude and Contents of Land within your Province? . . .

ABST. "The Council of Trade and Forreign Plantation having been lately superseded by the above new Committee of the Privy Council it is found that His Majesty cannot be advised about the colonies for lack of information."

May 11. Letter. Captain Cantwell to Governor Andras.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 545-546.
Pa. Arch., ser. 2, v. 7, pp. 779-780.

ABST. Asks order to lay out bounds of the Whorekill, saying old Indians can show how far the Dutch formerly claimed.

Aug. 31. Letter. Sir John Werden to Gov. Andras.

MS. COPY. P. R. O., N. Y., 155, p. 22.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, pp. 238-240.

ABST. Duke advised not to pass a patent singly for the Delaware Plantation but to wait for the occasion of altering that of New York. Similar statements made in a letter dated May 7, 1677.

1677.

June 11. Letter. Hermanus Wiltbank to Governor Andras.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 576-577.
Pa. Arch., ser. 2, v. 7, pp. 788-789.

ABST. Says Marylanders have recently surveyed several thousand acres within Delaware territory. He can produce a written instrument between the Christians and Indians showing that the former bought "southward of the Whorekill Creeke about the Distance of 18 or 20 miles, But to the northward of the supposed Cape Henlopen [?] . . . . Being called Assawoma Inlett."
See also letter of 18, Sept. 1677, Pa. Arch., ser. 2, v. 7, p. 791.

Sept. 18. Letter. Helmer Wiltbank to Governor Andras.

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, pp. 582-583.

ABST. Refers to surveys north of Cape Henlopen and Assawoman Creek.

1678.

Mar. 26. Charles, Lord Baltimore. My answer to the Enquiryes sent unto me by order of the Lords of the Comitte of Trade and Plantations. 22 fol.

MS. ORIG. P. R. O., Colonial Papers, BB, p. 14.
PUB. Md. Arch. v. 5, pp. 264-269.

ABST. 10. Boundaries and positions are well described "in a Late Mapp or Chart of this Provynce lately made and prepared by one Augustine Herman an inhabitant of the sa.d Provynce and Printed and Publiquely sold in London by his Majestyes Licence" to which he refers for greater certainty and in order not to give "a Tedious description here."

"26 March 1678. Answer of the Lord Baltimore to the Queryes about Maryland Recd on the 1st of April, 1678." Signed.

1678.

Note. This shows that a good map of Maryland and the Delaware territory was known to the Privy Council before the Charter for Pennsylvania was granted. Through the influence of Penn it seems to have been thrown out during the hearings of 1683-1685 on the ground that it was an *ex parte* map, the Visscher or Dutch map which was less correct being used instead. The present location of Cape Henlopen is given on Herrman's map, the incorrect location on Visscher's.

1680.

June 1. **Petition of William Penn to King Charles II asking for grant of Letters Patents for a tract of land in America, lying north of Maryland. [etc.]**

PUB. Pa. Arch., ser. 2 v. 16, p. 346; cf. p. 11.
Hazard, Annals of Pa., p. 474.

Note. Original in Board of Trade records, much worn and only partly legible, cf. Rept. of Committee, 1681, Feb. 24.

THE PENN GRANT.

1680.

June 14. **Minute of Meeting. Committee of Trade and Plantations. [Consideration of patent of Mr. Penn "Referred by order from the Earl of Sunderland"].**

MS. ORIG. P. R. O., Col. Entry Book No. 106, p. 173. Unsigned.
PUB. Md. Arch., v. 5, p. 271.
Pa. Arch., ser. 2, v. 16, pp. 346-347.

Penn petitions for Grant of Letters Patents "for a tract of land in America lying north of Maryland, on the East bounded with De la Ware River on the West limited as Maryland and northward to extend as far as plantable."

Penn satisfied to have northern boundary three degrees to the northwards accepts this grant or will wait the King's convenience in repaying indebtedness. Copies of this petition ordered to Sir John Werden in behalf of his Royal Highness and to Agents of Lord Baltimore that "they may report how far the pretensions of Mr. Penn may consist with the Boundaries of Maryland or the Duke's Propriety of New York."

June 14. **Letter. Secretary Blaithwayte to Sir John Werden.**

MS. (Rough Draft). P. R. O., B. T., Penna., v. 1, 4 fol.
MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 2. Botra No. 7, certified 22 Apr. 1742.
Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Pa. Arch., ser. 2, v. 16, p. 347.

ABST. Transmits copy of William Penn's petition for charter and asks for report if it intrenches upon the Patent of His Royal Highness, the Duke of York.

June 23. **Letter. Barnaby Dunch and Richard Burk [Agents of Lord Baltimore] to Secretary Blaithwayte.**

MS. ORIG. P. R. O., B. T., Penna., v. 1, 3 fol.
MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 3, Botra No. 9, certified 22 Apr. 1742.
Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Houston, Address to Commissioners of Del. Hist. Soc., Del., No. 8, 1879, p. 68.
Pa. Arch., ser. 2, v. 16, pp. 348-349.
Hazard, Annals Pa., p. 476.
Pa. Votes of Assembly, v. 1.

ABST. Reporting in behalf of Lord Baltimore on the effect on his interests of Mr. Penn's petition for a grant, desiring that it shall lie north of "Sasquahanna" Fort and of all Lands in a direct line between the said Fort and Delaware River and of a line westward therefrom as far as ye Boundary of Maryland.

June 23. **Letter. Sir John Werden to Secretary Blaithwayte.**

MS. ORIG. P. R. O., B. T., Penna., v. 1, p. 5.
MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 2. Botra No. 6, certified 22 Apr. 1742.
Md. Hist. Soc., Calvert Papers, No. 230.

1680.

PUB. Chalmer's Political Annals, v. 1, pp. 655-656.
Pa. Arch., ser. 12, v. 16, pp. 347-348.
Hazard, Annals Pa., pp. 475-476.
Pa. Votes of Assembly, v. 1.

ABST. The boundaries of Mr. Penn's patent seem to agree with the Duke of York's colony held as an appendix and part of the government of New York by the name of Delaware or Newcastle colony. If this be the case presumes committee will not endorse it; if another parcel of land thinks it may be recommended. Argues duke's interest in Delaware "though it should not prove to be strictly within the limits of the duke's patent."

June 25. Committees of Trade and Plantation. Minutes of Meeting. Consideration of Petition from William Penn and letters from Lord Baltimore's agent and from Sir John Warden.

MS. P. R. O., Colonial Entry Book, No. 106, p. 178.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch. v. 5, p. 272.
Pa. Arch., ser. 2, v. 16, p. 349.

ABST. From Sir John Werden's letter Penn is told that a part of the territory desired by him is already possessed by the Duke of York and that he must therefore apply to His Royal Highness to adjust their respective pretensions. Mr. Penn agrees that Susquehanna Fort shall be the bounds of Lord Baltimore's province.

Oct. 16. Letter. Sir John Werden to Secretary Blaithwayte.

MS. ORIG. P. R. O., B. T., Penna., v. 1. 3 fol.
MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 3. Botra No. 10, certified 22 Apr. 1742.
Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Pa. Arch., ser. 2, v. 16, pp. 349-350.
Hazard, Annals Pa., p. 480.
Pa. Votes of Assembly, 1. 1.

ABST. Mr. Penn has seen the Duke and His Highness is now willing that Mr. Penn may have a grant of land to lie north of Newcastle Colony west of the Delaware, beginning about latitude 40° and extending northward as far as his Majesty pleaseth and under such regulations as their lordships think fit.

Nov. 1. Committee of Trade and Plantation. Minute of Meeting.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Pa. Arch., ser. 2, v. 16, pp. 349-350.

ABST. Penn petitions that day be appointed for preparing his grant.

Nov. 4. Committee of Trade and Plantation. Minutes of Meeting.

MS. P. R. O., Colonial Entry Book, No. 106, p. 228.
PUB. Md. Arch., v. 5, p. 272.

ABST. Ordered that "Mr. attorney General and my Lord Baltimore's Agents" have sight of draft of a patent now presented by Mr. Penn.

Nov. 8. Letter. Secretary Blaithwayte to Attorney-General.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 5. Botra No. 11, certified 22 Apr. 1742.
Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Pa. Arch., ser. 2, v. 16, p. 350.

ABST. Transmits draft of grant to Penn and requests him to report any objection to the powers granted.

Nov. 8. Letter. Secretary Blaithwayte to Sir John Werden.

MS. (Rough Draft). P. R. O., B. T., Penna., v. 1. 3 fol.

ABST. Encloses draft of grant presented by Penn and asks opinion on it.

Nov. 11. Committee of Trade and Plantation. Minute of Meeting.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Pa. Arch., ser. 2, v. 16, p. 350.

ABST. Attorney General presents opinion on Penn's grant.

1680.

Nov. 18. Letter. Secretary Blaithwayte to Sir John Werden [Duke's secretary].

MS. (Rough Draft). P. R. O., B. T., Penna., v. 1, 2 fol.
MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 5. Botra No. 12, certified 22 April 1743.
PUB. Pa. Arch., ser. 2, v. 16, pp. 350-351.
ABST. Formerly sent the petition of Penn for a tract of land adjoining New York and presented his answer to the committee of plantations. Now sends by their order an extract of so much of patent as concerns boundaries in order that he may make objections in behalf of His Royal Highness if he sees cause. The committee will meet for this business on Tuesday next at 4 P. M.

Nov. 18. Letter. Secretary Blaithwayte to the agents of the Lord Baltimore [Barnaby Dunch and Richard Burk].

MS. (Rough Draft). P. R. O., B. T., Penna., v. 1, 3 fol.
MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 4. Botra No. 3. 4 pp. text, 1 p. F., certified 22 April 1742.
Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Pa. Arch., ser. 2, v. 16, p. 351.
ABST. Recalls correspondence and gives notice of meeting.

Nov. 20. Letter. Jo. Werden to Wm. Blaithwayte.

MS. ORIG. P. R. O., B. T., Penna., v. 1, 4 fol.
MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 4. Botra No. 14, also p. 17, certified 22 April 1742.
Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Pa. Arch., ser. 2, v. 16, pp. 351-352.
ABST. The Duke's intention being that Mr. Penn's grant be bounded on the east by the Delaware river and his south limit 20 or 30 miles beyond Newcastle, which is distinct from Maryland, that being under the jurisdiction of Lord Baltimore and may reach northward he guesses, as far as the beginning of the 40th degree of latitude. If Mr. Penn's patent is so worded as to lead 20 or 30 miles beyond Newcastle and bounded on the east by the Delaware river, that is all the caution necessary as to the Duke, who will not concern himself how far north or west Mr. Penn's patent takes in.

Nov 23. Letter. Sir John Werden to Secretary Blaithwayte.

MS. ORIG. P. R. O., B. T., Penna., v. 1, 2 fol.
MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 6. Botra No 15, certified 22 April 1742.
Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Pa. Arch., ser. 2, v. 16, p. 352.
Hazard, Annals Pa., pp. 482-483.
Pa. Votes of Assembly, v. 1, pp. 269-273.
ABST. Mr. Penn "having fallen into discourse with him" objects to settling his south limit at 20 or 30 miles north of Newcastle, but is willing that 12 English miles north be his boundary and believes that will fall under 40° latitude. The Duke of York's only desire is to keep some convenient distance north of Newcastle.

Dec. 16. Lord Chief Justice North. [Rough draft of statement of Mr. Penn's boundaries].

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 7. Botra No. 17, certified 22 April, 1742.
Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Hazard Reg., v. 1, p. 274.
Pa. Arch., ser. 2, v. 16, p. 353.
Hazard, Annals Pa., p. 486.
Pa. Votes of Assembly, v. 1.
Note. An interlined copy showing changes towards final form.

Dec. 16. Committee of Trade and Plantations. Minutes of Meeting.

MS. ORIG. P. R. O., Colonial Entry Book, No. 106, p. 243. Unsigned.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 272.
Pa. Arch., ser. 2, v. 16, pp. 352-353.
ABST. After conference with Penn and upon reading Sir John Werden's letter it is decided best for a settlement that the latter and Lord Baltimore's agent be asked to attend the Saturday following.

1680.

Dec. 16. Attorney-General's report to the committee for trade and foreign plantation on Mr. Penn's charter.

MS. (Rough Draft). P. R. O., B. T., Penna., v. 1, 5 fol.
MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 7. Botra No. 8, 4, p. text 2 p. F. Page of copy No. 35, certified 22 April, 1742.
Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Pa. Arch., ser. 2, v. 16, p. 354.
Hazard, Annals Pa., pp. 483-484,
Pa. Votes of Assembly, v. 1.

ABST. Mr. Penn's petition for a grant does not intrench upon Lord Baltimore's province which is bounded . . . northward, by that part of Delaware river that lyeth in the 40th degree of latitude, and so by a direct line westward through the continent. Several Dutch and Swedish plantations are, perhaps, within the bounds of Penn's patent, which have acknowledged the protection of His Royal Highness [the Duke of York] who took them from the Dutch upon the conquest of New York, or of the Lord Baltimore, near whose borders they are settled.

Dec. 16. Letter. Secretary Blaithwayte to Lord Baltimore's agent [Mr. Burk].

MS. (Rough Draft). P. R. O., B. T., v. 1, 3 fol.
MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 6. Botra No. 16, certified 22 April, 1742.
Md. Hist. Soc., Calvert Papers, No. 230.
P. R. O., Colonial Entry Book, p. 243.
PUB. Pa. Arch., ser. 2, v. 16, p. 353.
Md. Arch., v. 5, p. 272.

ABST. Summons to appear before the committee on the 18th inst. to hear the exceptions of the Lord Baltimore against the draft of Mr. Penn's patent, at which time the lordships will proceed to discuss with him [Mr. Burk] about Penn's patent; desires him to attend on Saturday, the 18th inst., at 4 P. M.

Dec. 16? Letter. [William Penn?] to Mr. Lewen, New York.

MS. ORIG. Brit. Mus., Egerton MSS., 2395, ff. 593, 594.
Cf. Andrews, Colonial self-government, p. 172.

ABST. Sir John Werden and Baltimore's agent attended Lord Chief Justice North and acquiesced in the bounds "as they stand now described."

1680/1.

Jan. 15. Committee of Trade and Plantation. Minutes of Meeting.

MS. ORIG. P. R. O., Colonial Entry Book, No. 106, p. 248. Unsigned.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 272.
Pa. Arch., ser. 2, v. 16, pp. 354-355.

ABST. "The boundaries of Mr. Penn's patent settled by my Lord Chief Justice North with the Alterations of Sir John Werden are read and approved." Wednesday next appointed "to review the whole patent."

Jan. 22. Committee of Trade and Plantations. Minutes of Meeting.

MS. ORIG. P. R. O., Colonial Entry Book, No. 106, p. 249. Unsigned.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 272.
Pa. Arch., ser. 2, v. 16, p. 355.
Hazard, Annals Pa., p. 486.
Pa. Votes of Assembly, v. 1.

ABST. Chief Justice North asked to take Penn's patent into consideration and to provide fit clauses for all acts of sovereignty. A request of Lord Bishop of London who would oblige Mr. Penn to admit a chaplin of his lordships appointment. Also referred to Chief Justice North.

Feb. 24. Committee of Trade and Plantations. Minutes of Meeting.

MS. ORIG. P. R. O., B. T., Penna., N. J. & Carolina Papers, v. 1, "at ye beginning of ye Book."
MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 7. Botra No. 19, certified 22 April, 1742.
Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Proud, Hist. Pa., v. 1, p. 189.
Pa. Arch., ser. 2, v. 16, p. 355.
Hazard, Annals of Pa., pp. 487-488.

ABST. Report draft of Penn's charter leaving name to be suggested by King.

1680/1. MAP. A Mapp of ye improved part of Pensilvania, Surveyed by Tho. Holme. Lond., Geo. Welldey [1681?]. 21x19 in.

Cf. Phillips, Maps of America.

Note. Shows Newcastle Co. on Delaware but no separation from Pa.

Mar. 4. Charter. Charles II to William Penn.

MS. ORIG. 4 sheets parchment, 28 by 22 in., Sec'y of State office, Harrisburg.

MS. COPY. P. R. O., B. T., Penna., v. 1.

PUB. Pa. Votes of Assembly, v. 1, p. 18.
Duke of York's Book of Laws.
Charters of Pa., Franklin, 1740 ed., Brinley, Nos. 3010, 3011.
Charters of Pa., Franklin, 1742 ed., "Thos. Penn's own copy with his autograph," cf. Allen, Amer. Curwan, p. 39. Brinley, 3012, 3013.
Pa. Arch., ser. 2, v. 7, apx.; v. 16, pp. 11, 12, 356-358; ser. 4, v. 1, pp. 3-18.
Hazard, Annals Pa., pp. 488-499.
Hazard, Reg., v. 1, p. 293
Charters and Const. U. S., pp. 1509-1510.
Charters of Pa., cf. Sabin, Nos. 59, 969.
Fiske, Dutch and Quaker Colonies, v. 2, pp. 370-386.
Jenkins, Pa., v. 1, pp. 124, 223-234.
Macdonald, Select Charters, pp. 183-190.
Jefferson, Notes Va., Richmond, 1853, p. 205.
Preston, Docs. illus. Amer. Hist., pp. 130-145.
Proud, Hist. Pa., v. 1, pp. 171-187.
Pastorius, Pa. (German text), repr. Crufeld, 1884, pp. 7-12.
Amer. Hist. leaflets, No. 16, pp. 17-18.

Discussions.
Clayton, Substance of Argument, Pea Patch Case, Phila., 1848.
Chambers, Pa., p. 635.
Bancroft, United States, cent. ed., v. 2, p. 107.
Bryant and Gay, United States, v. 2, p. 487.
Hildreth, United States, v. 2, p. 63.
Shepard, Hist. Propr. Gov't.
See also annotations of Secondary Material.

Mar. 5. Letter. William Penn to Robert Turner.

PUB. Hazards, Annals Pa., p. 500.
Pa. Hist. Mem., v. 1, pp. 208-209.

ABST. Announces passing of grant and tells of the origin of its name.

1681.

April 2. Letter. Charles II to the Lord Baltimore about Mr. Penn.

MS. COPY. P. R. O., Colonial Entry Book, No. 52, p. 83.

PUB. Allen, Cat. of Penn Papers, No. 13, p. 111.
Pa. Mag. Biog. & Hist., v. 6, pp. 414, 415, footnote 2.
Md. Arch., v. 5, pp. 273, 274.
Hazard, Annals, p. 505, cf. Chalmer's Annals, p. 657.
McMahon, Hist. Md., v. 1, p. 27.
Smith, Hist. Del. Co., p. 129.
Pa. Arch., ser. 2, v. 16, p. 426.

ABST. Announces granting of Penn's Charter giving terms of boundary and asks Baltimore to assist in establishing boundaries.

Note. This very important letter Penn secured apparently to his own interest, but upon finding the true location of degree 40 tried to retire it while Baltimore was then as eager to carry out its provisions. It is constantly brought forward by the latter in correspondence with Penn, which see.

April 2. Broadside. Declaration of Charles II regarding Pennsylvania Grant. London. Printed by the assigns of John Bill, etc., 1681 Lenox Lib., Emmet MSS. No. 14544.

PUB. Proud, Hist. Pa., v. 1, p. 189.
Hazard, Annals Pa., p. 502.
Pa. Votes of Assembly, v. 1, p. 24.

1681.

April 10. Commission. William Penn to William Markham.

Ms. Mass. Sec'y State Off., Colonial Papers, v. 2, p. 473.
PUB. Hazard, Annals Pa., pp. 503-504.

ABST. Appointing Markham Deputy-Governor with power to settle bounds with his neighbors.

April 10. Letter. Wm. Penn to Lord Baltimore.

Ms. P. R. O., B. T., Md., v. 1, 4 fol.
Ms. COPY. Md. Hist. Soc., Calvert Papers, No. 1069.
PUB. Md. Arch., v. 17, p. 471.
Pa. Mag. Hist. & Biog., v. 6, pp. 463, 464.
Md. Hist. Soc., Fund Pub., No. 28, pp. 322, 323.
Hazard, Annals Pa., p. 505.
Cf. Pa. Arch., ser. 2, v. 16, p. 426.

ABST. Introducing his cousin and deputy William Markham, asks that all the despatch possible be used in determining the "just limits" of the boundary.

May 1. Letter. Sir John Werden to Governor Andros.

Ms. COPY. P. R. O., New York, v. 151, p. 35.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, pp. 286-287.

ABST. Refers to questions arising from Penn's patent, urges actions be according to original grants.

May 12. Letter. Sir John Werden to Governor Andros.

Ms. P. R. O., N. Y., v. 151, p. 35.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, pp. 386-387.

ABST. Ordering notice to officers of Penn's grant and thinks those in actual possession should not be disturbed.

June 21. Letter. Governor Brockholls, New York, to Magistrates within limits of new grant.

PUB. Pa. Hist. Soc., Mem., v. 7, p. 195.
Armour, Lives of Governors, p. 66.

ABST. Advises that the King's patent to Penn shown him by Markham had been entered on the official records.

June 30. Letter. Wm. Penn to Sir John Werden.

Cf. following.

July 16. Letter. Sir John Werden to Wm. Penn.

Ms. P. R. O., "N. Y. Ent., 355, 356." (Chalmers.)
Cf. Chalmer's Polit. Annals, v. 1, p. 660.

ABST. Says Duke is not disposed to grant lands about Newcastle.

July 26. Letter. James Claypole to ? ?

Ms. Claypole letterbook. Library, J. Parker Foulke.
PUB. Hazard, Annals Pa., pp. 520-521.

ABST. Would wait before buying land of Penn to see that "he was not interrupted by Baltimore in taking possession, for this Baltimore is a great governor in Maryland that borders on Pensilvania."

Sept. 9. Letter. Governor Brockholls, New York, to Mr. Justice Whitwell and John Hilyard at Jones'.

Ms. COPY. Pa. Land Off., Harrisburg. Exp. from N. Y. records.
PUB. Hazard, Annals Pa., p. 524.

ABST. On proposed invasion by Lord Baltimore.

1681.

Sept. 16. **Letter. Wm. Penn to James Frisby *et al.***

MS. COPY. P. R. O., Colonial Papers, B. T., p. 44.
Md. Hist. Soc., Calvert Papers, No. 1070.
Pa. Land Off., Harrisburg.

PUB. Md. Arch., v. 5, p. 285.
Pa. Arch., ser. 1, v. 1, pp. 38-39.
Md. Hist. Soc., Fund Pub., No. 28, pp. 323-325.
Hazard, Annals Pa., p. 525.

ABST. Addresses them as men of reputation in their part of the province which he thinks falls within his patent and promises easy and just government, but cautions them to pay no more taxes or "assessments by any order or Law of Maryland" and promises them next spring some testimony of his endeavors to contribute to their happiness.
Subscribed "Your Reall friend." Postcript: "Pray salute me to all your Neighbors."

Note. This is the letter, cf. Balt. Narr. of the Whole Proceedings, the sending of which Lord Baltimore objected to as being discourteous.

Sept. 25. **Letter. Wm. Markham to Lord Baltimore.**

Cf. Pa. Mag. Hist. & Biog., v. 6, p. 427, also 11 July, 1682.
Ashmead, Hist. Del. Co., p. 15.

ABST. Asks ten days' postponement of next meeting.

Note. On Markham who was a relative of Penn, cf. Proud, Hist. Pa., v. 1. p. 236.
Hist. of Markham family, Lond., 1854, Keith, Provin. Councilors Pa., p. 1.

Sept. 30. **Letter. Wm. Markham to Commissioners.**

PUB. Pa. Hist. Soc., Memoirs, v. 2, p. 213.

Oct. 5. **Letter. Wm. Markham to Lord Baltimore.**

PUB. Pa. Mag. Hist. & Biog., v. 6, p. 427.

ABST. Says that he cannot meet Commissioners at the time appointed. Not received before Commissioners started.
See also 12 June, 1682, and 11 July, 1682.

Oct. 10. **Letter. Lord Baltimore to Wm. Markham.**

Cf. Pa. Mag. Hist. & Biog., v. 6, p. 427.

Oct. 10. **Letter. Wm. Penn to Wm. Markham.**

Cf. Westcott's Phila., ch. 22. (Pa. Hist. Soc.)

Dec. 27. **Letter. Ephraim Herman, Newcastle, to Capt. Brockholls.**

MS. ORIG. N. Y. Sec'y State Office, Eng. MSS., v. 21, p. 145.

ABST Notes arrival of Gov. Markham and immigrants for Pennsylvania. Makes application to lay out the 12 miles above Newcastle. Reports that Delaware has been granted to Penn.

1681/2.

Feb. 5. **Letter. Governor Brockholls, New York, to E. Herman.**

PUB. Hazard, Annals of Pa., p. 538 (extract).

ABST. Not for Magistrates to lay out 12 mile circle but if desirable he will "appoint as may be most proper."

Feb. 5. **Letter. William Penn to Lord Hyde [later Earl of Rochester].**

PUB. Pa. Hist. Soc., Mem., v. 1, p. 173.

ABST. Duke of York has proposed "a natural boundary for the tract of land he so often pleased to promise a patent for." Urges quickening Sir J. Werden who can hardly understand the Duke's commands. A draft of the bounds is in his agent's hands. Has laid out manors for the Duke and will send furs for hats and muffs for King, Duke and Lord Hyde.

1681/2.

Mar. 11. **Letter. Charles Lord Baltimore to Wm. Blaithwait.**

MS. ORIG. P. R. O., Colonial Papers, B. T., Md. v. B. B., p. 43.
PUB. Md. Arch., v. 5, pp. 348-351.
ABST. Complains of Penn's letter to Marylanders. Says he has been ready to run line but could not on account of Markham's illness.

Mar. 17. **Letter. Wm. Markham to Charles Lord Baltimore.**

PUB. Pa. Mag. Hist. & Biog., v. 6, p. 427.

1682.

Mar. 26. **Letter. Charles Lord Baltimore to Secretary Blaithwait.**

MS. P. R. O., Colonial Papers.
PUB. Md. Arch., v. 5, p. 351.
ABST. Says Penn had been misinformed as to the limits of Maryland.

May 14. **Letter. Charles Lord Baltimore to Wm. Markham.**

Cf. Pa. Mag. Hist. & Biog., v. 6, p. 428.
ABST. Announces closing of Assembly and plan to meet Markham.

May 20. **Commissions by Charles, Lord Baltimore to John Darnall *et al.***

MS. COPY. Md. Council Proc., Lib. R, p. 325.
PUB. Md. Arch., v. 17, pp. 104, 105.
ABST. Appoints John Darnall, Clement Hill, Alexander Dennett and Robert Jones to join with those empowered by Penn to take the true distance and to mark it when found with "such sufficient dirable marks" as to prevent future disputes and to certify to the Council at St. Maries by the last day of June next ensuing. Unsigned.

May 20. **Instructions to John Darnall *et al.***

MS. COPY. Md. Council Proc., Liber B, pp. 325-327.
PUB. Md. Arch., v. 17, pp. 105-107.
ABST. 1. To set sail at first opportunity to Mr. Augustin Herman's house in Bohemia river to meet Captain Markham or other commissioners for Pennsylvania. If they are not there notice of arrival to be sent to Pennsylvania.
2. Exchange of credentials.
3. Pennsylvania commissioners expected, are themselves to lay out and mark the line with their instruments and "with such of your own as you shall take with you from hence."
4. To pacify Baltemore and Cecil counties. Government of Pennsylvania is to be urged to "come and lay out the line."
5. Sheriffs of Cecil and Baltemore counties to be requisitioned for transportation and other necessaries.
6. Agreement reached to be certified and entered upon record within this Province.
7. First observation to be made on the "Easternmost side of Susquehannah River at the Northermost part of Palmer's Island."
8. If duplicates of Pennsylvania credentials are lacking, copy of them to be made, sealed and recorded.
Signed by ordr of the Rt honble the Lord Propry. Philip Calvert.

May 26. **Letter. Wm. Markham to Lord Baltimore.**

Pa. Mag. Hist. & Biog., v. 6, p. 428. (Mentioned only.)
Note. It was on this date that Markham obtained use of Col. Lewis Morris' instruments.

June 1. **Requisition on Sheriff of Cecil Co.**

MS. COPY. Md. Council Proc., Lib. R, p. 328.
PUB. Md. Arch., v. 17, pp. 107, 108.
ABST. Recites Commission under great seal dated 23 May last, appointing Messrs. Darnall, Hill, Dennett and Jones to lay out the boundary line with Pennsylvania, and orders their requests for transportation, provisions and other necessaries speedily granted, at charge of Proprietor.
"Idem verbatim issued the same day to the Sheriff of Baltemore county or his Deputy." Unsigned.

1682.

June 1. Letter. Charles, Lord Baltimore to Wm. Markham.

Ms. Copy. Md. Council Proc., Lib. R, p. 328.
Pub. Md. Arch., v. 17, p. 108.
Cf. Pa. Arch., ser. 2, v. 6, p. 29.
Pa. Mag. Hist. & Biog., v. 6, p. 428.

Abst. Unable to be present personally at the meeting at the head of the Bay, but not to delay ascertaining the line, has appointed Messrs. Darnall, Hill, Dennett and Jones to dispatch the business. Public affairs prevented him being present as a spectator according to appointment. Subscribed "Sr your affectionate Servtt."

June 5. Letter. Charles, Lord Baltimore to Governor Markham.

Ms. Md. Hist. Soc., Calvert Papers, No. 1071.
Pub. Md. Hist. Soc., Fund Pub., No. 28, pp. 330, 331.
Md. Arch., v. 17, pp. 471-472.

Abst. Has received his of 26 ult. Urges haste in settling bounds. Has already dispatched gentlemen to meet at time appointed and is unwilling to postpone ascertaining the bounds with Mr. Penn because the King and Mr. Penn greatly desire it and because he is himself much displeased that Mr. Penn has hinted to Augustin Herman and others in Maryland that they would come within Penn's government. Requests him to send at once qualified persons to meet his commissioners already on their way.
Endorsed. "His Lordsps letter to Markham of the 5 June, 1682."
Markham refers to this as 1 June.

June 10. Letter. Commissioners of Maryland to Wm. Markham.

Pub. Pa. Mag. Hist. & Biog., v. 6, p. 429.
Cf. Ashmead, Hist. Del. Co., p. 16.

June 17. Report. Commissioners of Maryland to Charles, Lord Baltimore.

Ms. Extract. P. R. O., Colonial Papers, B. T. Md., v. 1, B. C., p. 2.
Pub. Md. Arch., v. 5, pp. 369, 370.
Pa. Mag. Hist. & Biog., v. 6, p. 419, footnote.

Abst. In three observations have not differed two minutes. Find Augustin Herman's house lies at 39° 45". The 15" remaining will go not far short of Upland.

Note. Ashmead in his Hist. Del. Co., p. 16, states the commissioners met at Herman's plantation and that while waiting for Markham made the above obeervations.

Commissions to Wm. Curpin, Wm. Haige, *et al.*

Ms. Copy. Pa. State Papers. Harrisburg.
Pub. Hazard's Ann. Pa., p. 637.
Pa. Mag. Hist. & Biog., v. 6, p. 417.

July 7. Letter. Gov. Markham to Charles, Lord Baltimore.

Cf. Pa. Mag. Hist. & Biog., v. 6, p. 428.

Abst. Excusing failure to meet Commissioners.

July 11. Letter. Charles, Lord Baltimore to Gov. Wm. Markham

Cf. Markham. To answer my Lord Baltimore's letter to me of the 11 July, 1682.

Aug. 14. Letter. Charles, Lord Baltimore to Gov. Markham.

Pub. Pa. Mag. Hist. & Biog., v. 6, p. 429.

Abst. Says Commissioners are to come up and that he will come himself.

Aug. 19. Letter. King Charles II to Charles, Lord Baltimore.

Ms. Copy. P. R. O., Colonial Entry Book, v. 52, pp. 84, 88-89.
Pub. Md Arch., v. 5, pp. 371, 372.

Abst. Requires that with all possible speed Lord Baltimore on receipt of this determine the Northern bounds by an admeasurement of two degrees "according to the usuall computation of sixty English miles to a degree beginning from the South bounds of Maryland."

1682.

Note. The King's commands of this date and 2 April, 1681, were the basis of the conference at Colonel Taillier's house 13 Dec., 1682, between Penn and Baltimore. They were sometimes urged by Penn and sometimes waived.

Aug. 21. Indenture of release between James, Duke of York and William Penn for Pennsylvania.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
——— Owned by Mr. Rogers, of Newcastle, Del.
Newcastle Roll. Off., Liber —, p. 408, 409, 16 Mar., 1724.
Pa. Phil. Rolls Off., patent & Book A, v. 11, pp. 118-120, 28 : 8, 1701.
PUB.* Jeff., Va., Richmond, 1853, p. 206.
Hazard, Reg. 11, 27 (July, 1828), p. 586.
Hazard, Annals Pa., pp. 586-587.
Pa. House Rep. & Votes Proc., 1754. f. v. 3. p. 590.
Pa. Arch., ser. 1, v. 1, pp. 52-54. See footnote.
Pa. Arch., ser. 2, v. 16, pp. 363-364.
Proud, Hist. Pa., v. 1, pp. 200-201.
Cf. Pa. Arch., ser. 2, v. 16, pp. 12-13.

Aug. 24. Deed. James, Duke of York, to William Penn of Newcastle and 12 miles circle.

MS. COPY. N. Y. Rec.
P. R. O., B. T., Proprieties, v. 5, fol. 72, 14 fol.†
Pa. Roll Off., Phila. Pat. Book A, No. II, pp. 118-120. Made 28 Mar., 1701.
Newcastle Rec. Off. Made 16 Mar., 1724.
Md. Hist. Soc., Calvert Papers, No. 148. Made 17 Oct., 1735.
Md. Hist. Soc., Calvert Papers, No. 149. Made 20 Oct., 1735.
PUB.* Laws Newcastle, Kent & Sussex, 1752, p. 3.
Laws Delaware, 1700-1797, v. 1, app. 1.
Hazard's Reg., v. 1, p. 375 : v. 2, p. 27.
Hazard's Annals, pp. 588-590.
Jeff., Va., Richmond, 1853, p. 206.
Poore Fed. & States Const.
Pa. Arch., ser. 1, v. 1, pp. 52-53 ; ser. 2, v. 16, pp. 13-14 ; 364-365.
Del. Register, v. 1, ch. 5, pp. 245-247.

Aug. 24. Deed. James, Duke of York, to William Penn, 12 miles south of Newcastle to Cape Henlopen.

MS. COPY. N. Y. Rec. Secy. State, Liber E, fol. 38. Made 21 Nov., 1682.
P. R. O., B. T., Proprieties, v. 5, fol. 71, 15 fol.†
Newcastle, Recorder of Deeds Off. Made 16 March, 1724.
Md. Hist. Soc., Calvert Papers, No. 148. Made 17 Oct., 1735.
Md. Hist. Soc., Calvert Papers, No. 149. Made 20 Oct., 1735.
PUB.* Laws Newcastle, Kent & Sussex, 1752, p. 5.
Laws Delaware, 1700-1797, v. 1, app. 4.
Pa. Votes & Proc., Repr. XXX, f. v. 3, p. 590.
Hazard, Reg., v. 1, pp. 429-430.
Hazard, Annals, pp. 590-593.
Jeff., Va., 1853, p. 206.
Pa. Arch., ser. 2, v. 16, p. 14, pp. 366-367.
Del. Reg., v. 1, pp. 247-249.

Note. The title conveyed by these deeds is the crux of the entire controversy regarding the Maryland-Delaware line. The Baltimores claimed that James had no title to convey beyond that received from his grant to the east side of the Delaware. The Penns claimed he conveyed title arising from his capture of the Dutch who had settled on territory claimed by Baltimore. See Pea Patch Id. Case, Sen. Exec. Doc., 30th Cong., 1st sess., No. 21.

Sept. 8. Letter. Governor Wm. Markham to Charles, Lord Baltimore.

PUB. Md. Arch., v. 5, p. 377.

Sept. 19. Letter. Lord Baltimore to [Markham?].

PUB. Md. Arch., v. 5, p. 377.

*No attempt has been made to make these entries complete.
† "Presented to the Board of Trade by Mr. Edw. Randolph with his memorial, 19th Feb., 1700/1."

1682.

Sept. 25. Letter. William Markham to Charles, Lord Baltimore. [Endorsed] Mr. Markham's reasons for not laying out the bounds of Pensilvania with the Lord Baltimore.

MS. COPY. [Attested.] P. R. O., Colonial Papers, B. T., Md. v. 1, B. C. p. 29.
PUB. Md. Arch., v. 5, pp. 372, 375; Pa. Mag. Hist. & Biog., v. 6, p. 432. Ref. in Balt. Narr., 8 Feb., 1683, Md. Arch., v. 5, p. 378.
ABST. Does not concur in laying out bounds because he received by the Penn patent "all that part of the river Delaware beginning twelve miles above New Castle Towne and soe upwards from the Government of New York" and is so accountable only to His Majesty or His Royal Highness for any part of Pennsylvania laying on Delaware River. But is willing to wait on Baltimore for laying out the bounds "towards Chesapeake Bay and the rivers on that side." Dated 29 Sept. in Markham's answer. Pa. Mag. Hist. & Biog., v. 6, p. 432.

Sept. 26. Notes on conference between Charles, Lord Baltimore and Dept. Governor Wm. Markham held at Upland, 25-26, Sept. 1682.

MS. ORIG. P. R. O., B. T., Maryland, v. 1, B. C., p. 28.
PUB. Pa. Mag. Hist. & Biog., v. 6, pp. 429-434.
Md. Arch., v. 5, pp. 430-433.
Also under date March 17, 1684/5.

Sept. 29. Letter. William Markham to Charles, Lord Baltimore.

MS. COPY. P. R. O., Colonial Papers. Attested 17 Mar., 1684/5.
PUB. Md. Arch., v. 5, p. 435.
Pa. Mag. Hist. & Biog., v. 6, p. 432.
ABST. Ready to attend says he cannot come on account of the impression left by the remarks of Lord Baltimore and puts the blame on Lord Baltimore.

Sept. 29. Letter. Governor Markham to Lord Baltimore.

PUB. Pa. Arch., ser. 1, v. 1, p. 39.
Note. Either a second letter sent the same day or the original of the one attested March 17, 1684/5. The texts are quite different.

Sept. 30. Commission. James Duke of York to Col. Thomas Dongan.

MS. P. R. O., N. Y., 151, p. 39.
PUB. Doc. rel. Colonial Hist. N. Y., v. 3, pp. 328-329.
ABST. Territory described is to the East side of Delaware Bay.

Oct. 10. Letter. Governor Thomas Dongan, New York, to William Penn.

PUB. Pa. Arch., ser. 1, v. 1, p. 76.
ABST. Has received his enclosed paper of news and has perused the King's letter, as also Colonel Talbot's commission. In the patent in his possession there is no mention made of the east side of the Delaware river and bay. Possession should be retained of the Duke's interest until the Duke can be acquainted with the matter.

Oct. 27-28. Record of ceremony taking possession of Delaware by William Penn.

MS. Newcastle Records, No. 11, fol. 92-93.
PUB. Pa. Arch., ser. 2, v. 16, p. 368.
Hazard, Annals Pa., pp. 596-598.

Nov. 7. Certificate of witnesses to delivery of possession.

MS. COPY. Harrisburg, Newcastle Records, Patent-book A, No. 2, pp. 120-121.
PUB. Hazard, Annals, pp. 602-603.
ABST. Evidence that Moll and Herman, representatives of New York, had delivered Delaware to William Penn.

Nov. 21. Report of John Moll on delivery of Delaware to William Penn.

MS. COPY. Newcastle, Recorder's Office, Rec. B, pp. 407-412.
PUB. Hazard, Annals, pp. 606-607.

1682.

Nov. 21. **Declaration. Governor Brockholls to justices of Three Lower Counties.**

MS. COPY. Harrisburg, Newcastle Records, Patent-book A, No. 2, pp. 117-118.

PUB. Hazard, Annals, pp. 605-606 (in part).

ABST. Recites Penn's deeds and appointment of Moll and Herman as attorneys to deliver possession and directs obedience to Penn.

Nov. 21. **Order of Commander Brockholls and Council, acknowledging the grant of Delaware to William Penn, and authorizing John Moll and Ephraim Hermans to surrender the territory to him or his agents.**

PUB. Doc. rel. Colonial Hist. N. Y., v. 12, p. 669.

Nov. 28. **Letter. William Penn to Governor Markham.**

PUB. Westcott, Hist. Pa. (Phila. Sunday Dispatch, Pa. Hist. Soc.)

ABST. Claims river Delaware as his own.

Dec. 6. **An Act of Union for annexing and uniting of the counties of Newcastle, Jones and Whorekills, alias Newdale, to the province of Pennsylvania, and of naturalization of all foreigners in the said province and counties annexed.**

PUB. Laws of Del., 1700-1797, v. 1, app. 8.
Votes & Rep. Pa., v. 1.
Proud, Hist. Pa., v. 1, p. 202.
Hazard's Annals, pp. 611-618.
Del. Reg., v. 1, pp. 249-251.

Grants of Land on or near Delaware.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 224. Made about 1750.

ABST. For contents see Md. Hist. Soc., Fund Pub., No. 28, p. 95.

Dec. 12. **Letter. William Penn to Charles, Lord Baltimore.**

Cf. Clarkson, Mem. William Penn, pp. 148, 149, 262.

Dec. 13. **Conference held between the right Honorable the Lord Baltimore Proprietor of Maryland and William Pen Esqre. Proprietary of Pensilvania at the house of Colonel Thomas Tailler on the ridge in An Arrundell County Wednesday the 13th of December 1682. 40 fol.**

MS. ORIG. P. R. O., Colonial Papers, B. T. Md., v. 1, B. C., p. 3.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 235.
PUB. Md. Arch., v. 5, pp. 382-390.
Janney, Life of Penn, p. 212.
Cf. Hall, Lords Baltimore, p. 116.

ABST. A *shorthand* account which was endorsed by the Maryland Council. Penn produces the King's letters of Apr. 2 & 19 and Baltimore replies. An account of the argument of both sides accepted by Baltimore and for the most part by Penn. See 12, Mar. 1682/3.

Dec. 16. **Letter. William Penn to P. Ford.**

PUB. Pa. Mag. Hist. & Biog., v. 6, p. 180.

ABST. Gives an account of Penn's movements before and after the conference.

Dec. 31. **Commission. William Penn to William Crispin, Wm. H. Haige, John Bozer and Nathaniel Atten.**

MS. ORIG. Pa. State Dept. Parchment very much worn.
PUB. Hazard's Annals Pa., p. 639.
Pa. Mag. Hist. and Biog., v. 6, p. 417.

ABST. Shows that Penn exercised jurisdiction over the lands in dispute.

1682/3.

Jan. 24. **Letter. Charles, Lord Baltimore to William Penn.**

Cf. 22 Mar. 1682/3. Letter of William Penn to Charles, Lord Baltimore.
Note. Transmits copy of narrative of their conference of Dec. 13?

Feb. 8. **[Memo. concerning Maryland.]**

Ms. P. R. O., Colonial Papers.
PUB. Md. Arch., v. 5, p. 344.
ABST. Short *ex parte* resumè of history of grants.

Feb. 8. **Letter. Charles, Lord Baltimore to Lord Marquis of Halifax.**

MS. ORIG. P. R. O., Colonial Papers, B. T., Md., v. 1, B. C., p. 6.
PUB. Md. Arch., v. 5, pp. 391-392.
ABST. Sends report of a late Conference with Mr. Wm. Penn about the boundaries and begs for protection of rights "granted by his Charter. His colony pays fifty thousand pounds annually in tobacco with no expense to home government. His colony one of the most remunerative of any of his Maties. Endorsed. Read at the Comtee 17, Apr. '83.

Feb. 9. **Letter. William Penn to Marquis of Halifax.**

PUB. Pa. Hist. Soc. Mem., vi, pp. 446-449.
ABST. Discussions with Baltimore about bounds. Latter's superabundance of water. Penn has led the greatest colony into America. Baltimore should remember his province was cut out of Virginia and not for repayment of a debt but for mere grace.

Mar. 2. **Report of observation at Palmer's Island by James Conoway, Alexa. Dennett, Robert Jones.**

MS. COPY. P. R. O., Colonial Papers, B. T. Md., v. 1, B. B., p. 7.
PUB. Md. Arch., v. 5, p. 394.
ABST. Find latitude of Palmer's Island [later Watson's, now Garrett Island] "Situate in the mouth of Susquehanoe River" observed 28 Feb. last with "Sextant of about tenn foote Semi-diamiter and (to the best of our Art and skill) to lie at 39° 44". Signed by all. "True copy C. Baltimore. R. 11, May '83."
Note. On Penn's request this record was produced at the second conference with Baltimore at Newcastle 29. May 1683. See "Sume and Substance" report of Conference by Baltimore sent to Blathwaite Clerk of Privy Council Com. of Trade and Foreign Plantations, 11 June, 1683. Md. Arch., v. 5, p. 399.

Mar. 12. **Letter. William Penn to Charles, Lord Baltimore.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1072.
PUB. Md. Arch., v. 17, p. 472-473.
Md. Hist. Soc. Fund Pub. No. 28, pp. 325-326.
ABST. Gave no credence to report that Lord Baltimore was with Captain Comray at Captain Wards taking an observation, also up the Susquehanagh River, thinking that word of his near approach would have been sent him. Hopes that by end of month he may attend Lord Baltimore. Is desirous of yielding to him "in all points not essentially distructive to my right, and the great and costly merits of my Cause." [Postscript.] "The Narrative inclosed to me had its defects wch our 2d interview may help."
Subscribed "Thy very Loving Neighbor & True Frd. Wm. Penn."
Indorsed: 12 Mar. 1682 [-3] Ite to me from Mr. Penn being in [answer] to the Ld Baltemores of the 24 of Jan. 1682 [-3].

Mar. 19. **Commission. Charles, Lord Baltimore, to George Talbot.**

MS. COPY. Md. Council Proc., Liber R. R. R., pp. 75-76.
PUB. Md. Arch., v. 17, pp. 235-236.
ABST. Is ordered to repare to the Governor of Pen-Sylvania to demand the delivery of all the Land upon the West side of Delaware River and Bay, and the Seaboard side to the Southward of the ffourtieth Degree of Northerly Latitude.

1682/3.

Mar. 19. **Several commissions and instructions granted by Lord Baltimore to Colonel George Talbott, all bearing date 19 Mar. 1683.**

1. To lay out 200 acres in two manors in Cecil County, each called Baltemore Mannor lying between Elk River and North East (als Shermor) River and to open the rest for settlement.
2. To dispose of lands in New Ireland and parts adjoining, to the River and Bay of Delaware on the west side thereof, and southwards of the 40th degree.
3. To build "a small but strong house close by Christine bridge in New Castle County" with a palisade fort around it and to hire three soldiers at double pay for six months to defend it.
4. Making him Commissioner for Lands in the counties of Baltemore and Cecil as by other commission of this date he is Commisioner for New Ireland, Delaware and the Whore Kills.

Ms. Md. Council Proc., Liber RRR., pp. 60-63.
Pub. Md. Arch., v. 17, pp. 230-234.

Mar. 22. **Grant of Delaware territory. King Charles II to James, Duke of York and Albany.**

Ms. Orig. P. R. O., Colonial Papers.
N. Y. State Rec.
Ms. Copy. Pa. Hist. Soc., Penn MSS. Charters & Frame of Govt. 1683-1696., 8 pp. Ms. signed by R. Sawyers 13 Apr. 1683. Attest. 7 Apro. 1717.
Pub. Pa. Arch., ser. 2, v. 16, pp. 378-379, cf. p. 17.
Md. Arch., v. 5, pp. 426-427.

Abst. Granted by Charles II seven months after deeds of release had passed from James to Wm. Penn. The various extracts seem to vary somewhat.

Note. Two distinct abstracts are given. The first is distinguished by the phrase "and backwards into the Woods three Indian day's lournies or 30 dutch miles being formerly the possession purchase or right of the Dutch or purchased by them of the natives." The second has the clause "all that Tract of land and water lying from between the Boundaries aforesaid or Westward thereof which was formerly the Claime or Possession of the States Generall of the United Provinces or any of their Subjects." This extract is followed in Md. Arch. by a memorandum, apparently, from Secretary Blathwayt in which he states that "the annexed is the Boundaryes of His Royal Highness Patent" and that the Counsel who "drew it for the Duke is without attending to your Lops Pleasure."

1683.

April 13. **Report from Sir R. Sawyer to the King regarding grant of Newcastle & River of Delaware to Duke of York on surrender of his former grant.**

Ms. Orig. P. R. O., B. T. Md., v. 1, B. C., p. 48.
Pub. Md. Arch., v. 5, pp. 392-393.
Cf. Pa. Arch., ser. 2, v. 16, pp. 390-391.

Abst. Upon surrender of letters patents of Mar. 22, 1682/3 His Majesty is to grant Newcastle, town and fort; the river Delaware with all soil and islands, "and all that tract of Land upon the West side of the River and Bay of Delaware which lyeth from Skookill Creek upon the said River unto Bombays Hook and backward into the woods so far as the Menqual Country," "and from Bombey's Hook on the said River and Bay unto Cape Honlopon now called Cape James being the South point of Asia Warmer [Assawomett] Inlet and backwards into the woods three Indians days Journey."

April 17. **Committee Trade and Plantations. Minutes of Meeting, Tuesday.**

Ms. Orig.? P. R. O., Colonial Entry Book, p. 138.
Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 230.
Pub. Md. Arch., v. 5, pp. 393-394.
Pa. Arch., ser. 2, v. 16, pp. 392-393.

Abst. Baltimore's letter of 8 Feb. 1682/3 with enclosure of "Conference" and "Narrative" together with Allegations in regard to Penn's letter 16 Sept. 1681 to James Frisby considered; whereupon the Lord Keeper is directed to "have a view of the several Boundarys of the Patents granted to the Lord Baltemore and Mr. Penn, as also his Royal Highness of Newcastle" upon which his Lordship is ordered to report at the next committee meeting when agents of Baltimore and Penn are to Attend. His Royal Highness is asked not to make further conveyance to Mr. Penn until the bounds with Baltimore are settled.

1683.

April 23. Letter. William Penn to Charles, Lord Baltimore.

Referred to in Baltimore's "Sume and Substance," 31 May, 1683.

ABST. Asks for a meeting at some place in the near part of Maryland.

April 27. Committee of Trade and Plantations. Minutes of Meeting.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 394.
Pa. Arch., ser. 2, v. 16, p. 393.

ABST. Baltimore's agent [attending without] directed to present any complaint by petition.

May 15. Proclamation of Charles, Lord Baltimore for letting out lands.

MS. P. R. O., Colonial Papers.
PUB. Md. Arch., v. 5, pp. 394-395.
Proud, Hist. Pa., v. 1, pp. 265-266.

Note. The issuance of this proclamation is regarded as a breach of faith by Wm. Penn. Lord Baltimore's vindication is found in P. R. O., B. T. Maryland, v. 1, B. C., p. 9.

May 23. Letter. Lord Baltimore to William Penn. 23 May, 1683.

MS. ORIG. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, 1683-1727, p. 3.
Cf. Allen, Catalogue of Penn Papers, 1870, No. 10b.

ABST. Expects to be at head of Elk River agreeably to his letter of 28 ult. Sends this by John Darnal as a personal visit was not desired by Penn until "we have a privat conference."

May 30. Petition. Richard Burk to King. Cf. report of meeting.

Note. This territory had already been granted to the Duke on the 22 Mar. preceding but this petition stopped "a further and more beneficial grant." Cf. Pa. Arch., ser. 2, v. 16, p. 18.

May 30. Committee of Trade and Plantations. Minutes of Meeting.

MS. ORIG. P. R. O., Colonial Entry Book, p. 154.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 396.
Pa. Arch., ser. 2, v. 16, pp. 393-394.

ABST. Richard Burk as Baltimore's representative petitions that new grant to His Royal Highness of parts adjacent to Delaware river may not pass the great seal until His Majesty shall be satisfied as to the extent of lands granted Baltemore. The question is as to whether the Dutch and Swedes, Christians, inhabited the territory before Baltimore's grant.

May 30. Letter. Wm. Penn to Charles, Lord Baltimore.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1073.
PUB. Md. Arch., v. 17, pp. 473-474.
Md. Hist. Soc., Fund Pub. No. 28, p. 327.

ABST. Determined to go to England by the first "Conveniency" if his former proposals are not accepted, or if any of the Lower Countys are claimed.

May 31. The SUME and SUBSTANCE of what was agreed and spoken by Charles, Lord Baltimore and William Penn Esqr. at theire Private Conference at New Castle on Delaware River, Tuesday the 29th of May 1683. Signed by Lord Baltimore.

MS. ORIG. P. R. O., Colonial Papers. B. T. Md., v. 1, B. C., p. 21.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 237.
PUB. Md. Arch., v. 5, pp. 397-400.
Va. Boundary Comm., App. C., pp. 91-93.

See also under Mar. 17, 1684/5.

1683.

May 31. Order. King in Council. "At the Court of Hampton Court."

MS. ORIG. P. R. O., Colonial Entry Book, v. 52, p. 105.
PUB. Md. Arch., v. 5, p. 396.
Pa. Arch., ser. 2, v. 16, p. 394.
ABST. Petition of Richard Burk that grant of Delaware to Duke of York may not pass the Great Seal was ordered to "the Lords Committee of this Board for Trade and Forreign Plantations" for report.

June 6. Letter. William Penn to Charles, Lord Baltimore.

MS. ORIG. Md. Hist. Soc., Calvert Papers, No. 1074.
PUB. Md. Hist. Soc., Fund Pub. No. 28, p. 329.
Md. Arch., v. 17, pp. 474-475.
ABST. Thinks he has done his share in endeavoring to settle line. Believes the presence of a Pennsylvania port at the head of Bay is advantageous to Baltimore and necessary to him. Answered 24 June.

June 9. Letter. William Penn to Charles, Lord Baltimore.

Cf. answer 24 June 1683.
Note. Apparently an answer to letter of 23 May saying he will take an observation and withdraws the proposition for admeasurement at 60 miles per degree. Penn believes it would be an affront to the King and Duke to give up Delaware.

June 11. Letter. Charles, Lord Baltimore to "My honored Friend" [Blathwayte].

MS. ORIG. P. R. O., Colonial Papers, v. 43, No. 119.
MS. COPY. De Jannette Papers. Richmond, Va.
PUB. Md. Arch., v. 5, p. 397.
Va. Boundary Com. Rept., 1874, App. C, p. 93.
ABST. Encloses "Sum and Substance" and asks that he may be heard in person if Mr. Penn makes any further move.

June 12. Letter. Charles, Lord Baltimore, to Sir Lionell Jenkins.

MS. ORIG. P. R. O., Colonial Papers, Am. & W. Ind. Md.
PUB. Md. Arch., v. 5, pp. 400-401.
ABST. Should Penn, bound for England, move for any further order in relation to the boundaries, asks that nothing be granted until he himself can be heard in May or June next.

June 12. Letter. Charles, Lord Baltimore, to Lord Halifax.

MS. ORIG. P. R. O., Colonial Papers, B. T. Md., v. 1, B. C., p. 10.
PUB. Md. Arch., v. 5, p. 401.
ABST. Sent him formerly a "Narrative" of all that passed between Penn's deputy, Penn and himself; also the Sume and Substance of a Conference had with him December last. Since then has had a private conference, Penn not wishing him to "discourse our affaires in Publick." Sends the last by this conveyance to Mr. Blaithwate. Asks that Mr. Penn be granted nothing until he can be heard. Will embark for England in May or June next.

June 12. Committee of Trade and Plantations. Minutes of Meeting.

MS. ORIG. P. R. O., Colonial Entry Book, No. 52, p. 171.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, pp. 401-402.
Pa. Arch., ser. 2, v. 16, pp. 394-395.
ABST. After hearing agents and counsel in behalf of Baltimore and Penn, the question between them is stated whether in 1632 the Dutch possessed land claimed by Penn. This Penn's agent will prove in a short time when committee will hear it further.

June 12. Letter. Robt. Wade and J. Sanderlane to Governor Markham.

PUB. Pa. Arch., ser. 1, v. 1, p. 48.
ABST. Announces receipt of letter from Lord Baltimore and the presence of commissioners at Augustine Herman's. "We have given you ye trouble of these Lynes, yt when ye understand ye case, you may doe as ye Concerne requires."

1683.

Indian Deeds to Wm. Penn of lands between Delaware and Susquehanna below Falls of Susquehanna [Bald Friars, Md.?].

Pa. Arch., ser. 1, v. 1, p. 67.

Note. This looks like attempts to gain Indian title to territory known by Penn to be in Maryland.

June 20. **Letter. Wm. Penn to Governor and Council of West Jersey.**

Pa. Arch., ser. 1, v. 1, pp. 61-62.

ABST. Objects to Thomas Mathews referring to acts of Lord Baltimore's soldiers committed at Lewis als Whorekills "so long ago and out of date and of his reference to 'Lord Baltimore's Claim upon Delaware.' "

June 24. **Letter. Charles, Lord Baltimore to "My most Hon'd friend" [Wm. Penn].**

MS. ORIG. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, 1683-1727. Cf. No. 11, Allen, Cat. Penn Papers, 1870.

ABST. Answers Penn's letters of June 6 & 9 explaining delays. Criticises statements in them. Asks Penn if he will agree not to oppose Baltimore's title to Delaware on the ground of possession. Hopes they may make observation on Bay and apologises for harsh speech complained of. An important letter especially since that of June 9 appears to be lost.

July 24. **Letter. William Penn to Lord North.**

PUB. Mem. H. S. Pa., v. 1, p. 411, ed. 2, p. 439-441.

ABST. Thanks him for dispatch in the passing of his patent.

July 28. **Letter. William Penn to Earl of Sunderland.**

Note. Penns were promoted at Court by friendly aid of Lord Hyde, Justice North, Earl of Halifax and Earl of Sunderland, cf. Dixon, William Penn, p. 179, also

Cf. Mem. Hist. Soc., Pa., v. 2, pt. 1, p. 243.

July 29. **Letter. Wm. Penn to John Tucker.**

PUB. Pa. Arch., ser. 1, v. 1, p. 72.

ABST. Says his delays are continued by "ye Backwardness of ye Ld Baltimore to comply wth ye kings Letter. My Friend Braithwait was a true Proffit."

July 31. **Letter. William Penn to Thomas Taylor.**

PUB. Pa. Arch., ser. 1, v. 1, pp. 70-72.

ABST. Denies Baltimore's story that he allowed Duke's claim to Delaware was invalid. He refused to buy as Baltimore claimed. "Finding this place necessary to my Province, and that the presence of the Lord Baltimore was against Law civil and common, I endeavored to gett it, and have it, and will keep it if I can."

1683. **Petition of Wm. Markham to Duke of York.**

PUB. Pa. Arch., ser. 1, v. 1, pp. 78-79.

ABST. Apparently presented by Markham in the fall of 1683. There is a questionable statement of facts to warrant his request for an immediate hearing.

Aug. 9. **Report of Conference with Charles Calvert at Col. Taylor's. William Penn to Committee of Trade.**

MS. ORIG. P. R. O., B. T., Pa., v. 1, 23 fol.

PUB. Pa. Arch., ser. 1, v. 1, p. 74.

ABST. Claims Calvert said Patent was not to begin by Degrees (etc.): Evidently a reference to the earlier charter proposed by George Lord Baltimore led to a misunderstanding.

1683.

Aug. 14. Letter. William Penn to Committee of Trade and Plantation.

MS. ORIG. P. R. O., B. T. Md., v. 4.
MS. COPY. Pa. Hist. Soc., Penn MSS. Boundaries, p. 8, 12 fol.
PUB. Proud, Hist. Pa., v. 1, pp. 267-274.
Chalmer's Political Annals, v. 1, pp. 661-666.
Pa. Arch., ser. 2, v. 16, pp. 395-399.
Hist. U. S. of N. A., Lond., 1839, pp. 810-812.

ABST. Gives his side of his conferences with Baltimore. Statements are often directly at variance with other accounts and sometimes contrary to what he knew to be the facts, judging from his statements elsewhere, and also to the facts as now accepted, e. g. claims 40° N. latitude is as low as 39° 17″ or 34 miles S. of Upland and 18 miles S. of Newcastle whose latitude had been approximately determined to be 20 miles south of 40° N. lat.

Aug. 16. Letter. William Penn in America to the Committee of the Free Society of Traders residing in London.

PUB. Caspanore's letters, Bath, Eng., 1777.
Proud, Hist. Pa., v. 1, pp. 246-264.

ABST. Refers to settlement of Dutch and Swedes in meeting places of Newcastle, Christinia, Tennecum, Wicoco. The province is divided into six counties, containing about 4,000 souls. About 80 houses in Philadelphia.

Sept. 17. Commission, Lord Baltimore to Col. George Talbot.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 239.
Pa. Hist. Soc., attested by Levin Gale, 20 Oct., 1740.
Cf. No. 10a, Allen, Cat. Penn Papers, 1870.
PUB. Proud, Hist. Pa., v. 1, pp. 274-275.
Hist. U. S. of N. A., Lond., 1839, p. 81.
Cf. Pa. Arch., ser. 2, v. 16 pp. 381-382.

ABST. Ordered to repair to "Skoolkill at Delaware and demand of Wm. Penn all land lying west of Delaware and south of 40° of northerly latitude from two observations, the one taken 10 June, 1682, the other 2 Sept., 1682, according to His Majesty's command in his letter of 2 April, 1681.

Sept. 24. Letter. George Talbot to Nicholas Moore.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 239.
Pa. Hist. Soc., attested by Levin Gale, 20 Oct., 1740.
PUB. Proud, Hist. Pa., v. 1, p. 275.
Md. Arch., v. 17, p. 145.

ABST. Demands all the land lying on the west side of Delaware river southward of the fortieth degree of northerly latitude, according to a line run east from two observations, the one taken 10 June, 1682, and the other on the 2 Sept., 1682, in obedience to his majesty's commands, expressed in a letter 2 April, 1681.

Oct. 10. Letter. Gov. Thomas Dongan to Duke of Albany, New York, 10 Oct. 1683.

PUB. Pa. Arch., ser. 1, v. 1, pp. 76-77.

ABST. Has advised with the Council and decided to put a stop to Penn's affairs with the Indians until his bounds and limits be adjusted, at the determining of which he himself will either be present in person or will send some one. The business will therefore not proceed until positive orders are received. Mr. Haige, Penn's agent, is to be acquainted with the contents of the letter. Endorsed: "A copy of Col. Dongan's letter to Albany."

Oct. 18. Proclamation of William Penn to Settlers between Delaware River, Chesapeake Bay and Susquehannah River to behave well towards the Indians. 2 fol.

MS. ORIG. P. R. O., Colonial Papers, B. T. Md., v. 1, B. C., p. 32, 2 fol.
MS. COPY. Lenox Library, Chalmer's MSS. Pa., v. 1, C. 32.
PUB. Md. Arch., v. 5, p. 402.

ABST. Announces purchase from Indians of all land between Delaware River, Chesapeake Bay and Susquehanna River.

1683.

Sept. 31. Letter. William Penn. An answer to a demand made to Nicholas Moore, my deputy, by Colonel George Talbot, 24 Sept. 1683, in pursuance of a commission from Lord Baltimore, proprietor of Maryland and Avalon, dated 17 of same month.

MS. ORIG. Pa. Hist. Soc., Penn MSS. Boundaries, p. 11, auto signed, 6 p. fol.
MS. COPY. Pa. Hist. Soc., Penn MSS. Boundaries, p. 14, attested by Levin Gale, 20 Oct., 1740.
Md. Hist. Soc., Calvert Papers, No. 239, attested by C. Baltimore.
PUB. Hist. U. S. of N. A., Lond., 1839, pp. 812-814.
Md. Arch., v. 17, pp. 146-150.
Proud, Hist. Pa., v. 1, pp. 276-283.
ABST. A reply to Baltimore's demand with many good points more or less obscured by false or crafty argument discreditable to its author.

Oct. 31. Considerations upon two sheets signed by William Penn, Proprietary and Governor of Pensilvania. Entitled [An Answer to a Demand made to Nicholas Moore as my Deputy by Colonel George Talbot 24 Sept. 1683. In pursuance of a commission from Baltimore Proprietary of Maryland and Avalon, dated 17 of same month]. The same being sent under a cover with a direction to Lord Baltimore, but not under any Seale; Therefore (as is supposed) sent for any man's perusal. 14 pp. fo.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 239.
PUB. Md. Arch., v. 17, pp. 151-167.
Pa. Arch., ser. 2, v. 16, pp. 383-386.
ABST. A strongly partisan, sometimes almost puerile, answer to the letter of Penn. It does, however, show the disingenuous character of Penn's communication.

Dec. 7. Letter. Charles, Lord Baltimore to William Blathwait, Dec. 7, 1683. 3 fol.

MS. ORIG. P. R. O., Colonial Papers, Entry Book, B. T. Md., v. 1, B. C., p. 23, 5 fol.
PUB. Md. Arch., v. 5, pp. 402-403.
Doc. rel. Colonial Hist. N. Y., v. 3, pp. 339-340.
ABST. Requests that he continue to move for time until the latter end of May next when he can fully satisfy the Privy Council of his right to Delaware southward of degree 40. He can then meet Mr. Penn's argument as to Dutch possession previous to Maryland patent and showing that the Dutch were usurpers and utterly disowned by Holland.

Dec. 11. Letter. Charles, Lord Baltimore, to Sir Lyonnell Jenkins.

MS. P. R. O., Colonial Papers, Entry Book.
PUB. Md. Arch., v. 5, pp. 403-404.
ABST. Refers to the grant Penn is endeavoring "by his Agnts in England to gett past the great Seale of noe lesse than one-third of my Province" lying east of Chesapeake Bay, on the Delaware south of forty which he pretends the Dutch settled before the Maryland patent was granted. Can prove these to have been usurpers disowned by Holland and asks for time until May next to appear before the council and defend his rights.

1683/4. Extract of Papers transmitted by the Lord Baltimore, Prop. of Maryland: relating to the Boundaryes of Maryland, Pensylvania & New Castle.

MS. ORIG. P. R. O., Colonial Papers, B. T. Maryland, v. 1, B. O., p. 51.
PUB. Md. Arch., v. 5, p. 456.
ABST. Baltimore has shown by observations taken by himself alone or with agents of Penn that 40° is about 12 miles north of Upland (Chester), and that he and his father had claimed Newcastle justly.

Letter. Sir Lionel Jenkins to Charles, Lord Baltimore.

Cf. Balt. ackn., Md. Arch., v. 5, p. 405.

1683/4. Eight Surveys, Returns and Plats of Land at Assawarmett and South of Indian River for Duke of York, Mr. Penn and others in date fr. 14 Sept. 1681-1 Feb. 1684. Extracted fr, Surveyor-General's office 20 Oct. 1740 for use in Penn v. Balt. signed by Levin Gale, B. Young, James Stirling, Clement Plumsted, Sam'l Chew, John Kinsey with 3 original maps attested with Great Seal by Governor Thomas.

Cf. Allen, Catalogue No. 45, Penn Papers, 1870.

Note. Shows that actual jurisdiction had been exercised by Duke of York and Mr. Penn over territory to Assawoman Bay.

Letter. William Penn to William Clark.

PUB. Pa. Arch., ser. 2, v. 7, p. 6.

ABST. Objects to remarks regarding the title to Sussex County.

Letter. William Clark to Governor William Penn.

PUB. Pa. Arch., ser. 2, v. 7, pp. 7-9.

ABST. Gives his version of speech against Lord Baltimore in his relation to Captain Murffey. Says Baltimore denied sending out proclamation of 15 May, 1682.

1683/4.
Jan. 24. Letter. William Penn to Colonel Philson Lloyd.

PUB. Pa. Arch., ser. 2, v. 7, pp. 3-5.

ABST. Complains of Baltimore's unneighborliness saying he was ready to debate the matter at Newcastle but that Baltimore evaded. [The question refused at Newcastle was not on the merits of the case but the willingness to sell before knowing the quantity to be sold.]

Feb. 8. Narrative of the whole Proceedings betwixt the Lord Baltimore and Captain William Markham Deputy Governor under William Pen Esqre as alsoe betwixt the Lord Baltimore, and the said Pen.

MS. ORIG. P. R. O., Colonial Papers, B. T. Md., v. 1, B. C., p. 450, signed by Lord Baltimore.

MS. COPY. P. R. O., B. T. Maryland, v. 5, fol. 60.
PUB. Md. Arch., v. 5, pp. 374-382.
Pa. Mag. Hist. & Biog., v. 6, pp. 414-427.
See also under May 31, and Aug. 6, 1683.

Feb. 12. Memorial. Duke of York asks that hearing be appointed for agreement on property of the Three Lower Counties [Delaware].

MS. ORIG. P. R. O., B. T. Md., v. 1, B. C., p. 22.
PUB. Md. Arch., v. 5., p. 404.
Pa. Arch., ser. 2, v. 16, p. 400.

ABST. His Royal Highness desires a day for a hearing.

Feb. 12. Committee of Trade and Plantations. Minutes of Meeting.

MS. ORIG.? P. R. O., Colonial Entry Book, v. 52,? p. 273.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, pp. 404-405.
Pa. Arch., ser. 2, v. 16, p. 400.

ABST. Upon reading paper from Penn's agent [Mr. Ford] requesting time for hearing Penn-Baltimore argument about tract in America possessed by his Royal Highness committee defers the business until April next when Lord Baltimore advises that he can be present, or earlier if latter's agent can be ready.

Feb. 18. Letter. Wm. Welch to Wm. Penn.

PUB. Pa. Arch., ser. 1, v. 1, pp. 82-83.

ABST. Refers to Baltimore's attempts through Talbot to acquire control of inhabitants on Delaware.

1683/4.
Mar. 12. **Maryland Assembly. Minutes.**

MS. ORIG. Md. Council Proc., Liber RRR, pp. 60-63.
PUB. Md. Arch., v. 17, pp. 220-224.
ABST. Grant of Delaware Bay and parts adjacent proposed by Lord Baltimore to prevent encroachments by Pennsylvanians.

1684.
April 4. **Maryland Assembly. Minutes.**

MS. ORIG. Upper House, Jour., p. 3.
PUB. Md. Arch., v. 13, p. 5.
ABST. Baltimore tells Upper House he is resolved to go speedily to England. "My stay there will be No longer than the matters you all knowe have beene the Subject of some diferences betwixt Mr. Penn and me. These once happily ended, shall soone returne to this place where it is my interest, as also my Inclination and delight to be."

April 6. **Letter. Charles, Lord Baltimore to Sir Lyonel Jenkins, 6 April 1684.**

MS. ORIG. P. R. O., Colonial Papers, Entry Book (Amer. W. Ind., v. 5. p. 389).
PUB. Md. Arch., v. 5, p. 405.
ABST. Acknowledges his letter received the day before and says that after business is despatched by the Assembly, now sitting, he will embark for England (the latter end of the month) calling in at York river to pay his respects to Lord Edward. Asks opportunity to appear at Council board to defend his rights.

Aug. 7. **Commission from Wm. Penn to Wm. Welch *et al.* to raise forces to maintain peace against any invasion from Maryland.**

PUB. Pa. Arch., ser. 1, v. 1, p. 85.
Note. Copied from original in Penn's handwriting.

April 23. **Letter. Thomas Lloyd and Wm. Welch to Wm. Penn.**

PUB. Pa. Arch., ser. 1, v. 1, pp. 84-85.
ABST. Letter from gentleman sent to Governor Dongan of N. Y. to obtain his friendly services with Lord Baltimore. Governor asks that matters remain quiet until the Duke's pleasure be learned.

April 23. **Letter. Governor Dongan to Lord Baltimore.**

PUB. Pa. Arch., ser. 1, v. 1, p. 86.
ABST. Asks that Lord Baltimore desist from building fort [at Christina].

May **Petition. Eph. Herman to the Right Honourable the Lord Proprietary and his Honourable Council.**

PUB. Md. Arch., v. 17, pp. 484-485.
ABST. Humble petition of Ephraim Herman of the Town of Newcastle on Delaware River, for confirmation of patent to land about Newcastle granted "from his Royal Highnesses Government of New York." Confirmed upon his paying according to "conditions of Plantation now in force within this province [Maryland]. Herman was an active adherent of Penn's but doubted Penn's rights enough to wish to make his own title sure.

May 9. **Petition. Peter Bayard "of Delaware" to Council at Mattapony Sewall.**

PUB. Md. Arch., v. 17, pp. 488-489.
ABST. Asks for confirmation of title to "several Hamocks or small Islands in a marsh at the mouth of Delaware River." "which said Land and other parts of said River up to the Degree of forty Northern Latitude Your Petitioner is informed and hath been made Sensible falls within the Bounds of this your Lordships Province of Maryland, etc."

1684.

May 9. **Petition. James Round of Somerset County.**

MS. Md. Council, Liber RRR, p. 108.
PUB. Md. Arch., v. 17, pp. 267-268.

ABST. Asking for confirmation of title to part of 4,000 acres set aside by William Penn for his own use, lying between Whorekills and Rehobeth Inlet.

May 12. **The Relation of Mr. Garrett Vansweeringen of the City of St. Maries concerning his knowledge of the Seating of Delaware Bay and River to the Southward of the 40th Degree of Northern Latitude by the Dutch and Swedes . . . [Attest.] Maryland ss. Att a Councill held at Mattapany Sewall the Twelfth day of May 1684 The aforegoing deposition then taken before us. Henry Darnall, Wm. Digges, Nicholas Sewall, John Darnall.**

MS. ORIG. P. R. O., Colonial Papers, B. T. Md., v. 1, B. C., p. 35.
PUB. Md. Arch., v. 5, pp. 411-417.
Doc. rel. Colonial Hist. N. Y., v. 3, pp. 342-347.

ABST. Refers to protests by Neale against Dutch and the consequent removal of the Whorekill settlement. Not very trustworthy.—Van Sweeringen had been active in the Dutch Amsterdam colony where his acts were more or less questionable.

May 30. **Letter. Samuel Land to Wm. Penn.**

PUB. Pa. Arch., ser. 1, v. 1, p. 87.

ABST. Reports fears aroused by Col. Talbot's aggressiveness.

June 8. **Letter. William Penn to Duke of York.**

PUB. Janney, Life of Penn, pp. 242-243.
Cf. Mem. Hist. Soc. Pa., v. 4, p. 178.

ABST. Complains of Talbot invasion will follow Baltimore to England "as fast as I can."

June 12. **Deposition of Joseph Bowle regarding behavior of Colonel Talbott towards him.**

PUB. Pa. Col. Rec., v. 1, pp. 61-62.

ABST. Says Talbott threatened to shorten Penn's territory by and by and that Bowle was not in Penn's province.

June 12. **Deposition of Griffith Jones regarding speech of William Clark uttered 5th June against Lord Baltimore.**

PUB. Pa. Col. Rec., v. 1, p. 61.

ABST. Quotes Clark as saying Lord Baltimore denied issuing proclamation encouraging settlement at Whorekills.

June 30. **Letter. E. Herbert [Solicitor to Duke of York] to William Blathwayt.**

MS. ORIG. P. R. O., Colonial Papers, B. T. Md., v. 1, B. C., p. 25.
PUB. Md. Arch., v. 5, pp. 417-418.

ABST. In the cause between Penn lessee to his Royal Highness and Baltimore touching a tract of land in the West Indies postponed until April last desires on behalf of His Royal Highness whose interests are disturbed that there may be no further delay.

July 2. **Committee of Trade and Plantations. Minutes of Meeting.**

MS. ORIG. P. R. O., Colonial Papers, Entry Book, No. [107], p. 320.
PUB. Md. Arch., v. 5, p. 418.
Pa. Arch., ser. 2, v. 16, p. 400.

ABST. Upon letter from Sir Edward Herbert requesting speeding of cause between Penn and Baltimore for lands on Delaware ordered that Baltimore's agent be given notice to attend on Wednesday the 16th.

1684.

July 16. **Committee of Trade and Plantations. Minutes of Meeting.**

MS. ORIG. P. R. O., Colonial Papers, Entry Book No. [107?], p. 324.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 418
Pa. Arch., ser. 2, v. 16, p. 401.

ABST. Agents of Baltimore and Penn attending the time for further consideration is set for Wednesday next at 4 P. M.

July 23. **Committee of Trade and Plantations. Minutes of Meeting.**

MS. ORIG. P. R. O., Colonial Entry Book No. [107?], p. 329.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 418.
Pa. Arch., ser. 2, v. 16, p. 401.

ABST. Upon the difference touching the boundary of Maryland-Pennsylvania Lord Baltimore and Mr. Ford, agent for Penn, called in. Because of absence on his circuit of Sir Edward Herbert, solicitor to His Royal Highness, the first Tuesday in Michaelmas is appointed for the hearing. [Sept. 29].
Mr. Ford asks delay. Lord Baltimore in England. Prior to this his agent had been representative.

Aug. 8. **Letter. William Penn to Earl of Sunderland.**

Cf. Mem. Hist. Soc. Pa., v. 4, p. 183.

Aug. 20. **Committee of Trade and Plantations. Minutes of Meeting.**

MS. ORIG. P. R. O., Colonial Papers, Entry Book No. 108, p. 9.
PUB. Md. Arch., v. 5, p. 419.

ABST. Baltimore granted copies of the minutes of the meeting relating to the lands in Delaware.

Sept. 30. **Committee of Trade and Plantations. Minutes of Meeting.**

MS. ORIG. P. R. O., Colonial Papers, Entry Book No. 108, p. 11.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 419.
Pa. Arch., ser. 2, v. 16, p. 401.

ABST. On statement of Sir Edward Herbert, His Royal Highness' solicitor, that proofs in regard to the tract of land about Newcastle depend chiefly upon Mr. Penn's coming to England; where he is expected, 9 Dec. next is appointed for hearing.
Penn arrived in England 24 Dec. 1684. Hearing of 9 Dec. postponed.

Oct. 3. **Maryland Council. Proceedings.**

MS. ORIG. Md. Council Proc., Liber RRR, pp. 118-119.
PUB. Md. Arch., v. 17, p. 279.

ABST. Ordered that fort at Christinia bridge be maintained with four men for six months longer.

Oct. 4. **Maryland Council. Proceedings.**

MS. ORIG. Md. Council Proc., Liber RRR, p. 123.
PUB. Md. Arch., v. 17, p. 284.

ABST. Pay ordered for soldiers at Christinia on motion of Talbott.

1684. **Report of a conference between Coll. Talbot and William Penn on various matters connected with his Government of Pensilvania and Coll. Talbot's interference therein.**

MS. ORIG. Md. Hist. Soc., Calvert Papers, No. 240.
PUB. Md. Hist. Mag., v. 1, 1908, pp. 21-32.

Nov. 3. **Committee of Trade and Plantations. Minutes of Meeting. 3, Nov. 1684.**

MS. ORIG. P. R. O., Colonial Entry Book, No. 108?, p. 19.
PUB. Md. Arch., v. 5, p. 420.

1684.

ABST. Letter from Mr. Penn to committee dated 14 Aug. 1683 read and copy ordered sent to Baltimore for his information and answer at the hearing.

Nov. 4. Maryland Council. Proceedings.

MS. ORIG. Md. Council Proc., Liber RRR.
PUB. Md. Arch., v. 17, p. 304.
ABST. Cornett Philemon Murry, late under Talbott, ordered to maintain the Christina fort for four months.

Dec. 9. Committee of Trade and Plantations. Minutes of Meeting.

MS. ORIG. P. R. O., Colonial Entry Book, No. 108?, p. 54.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Pa. Arch., ser. 2, v. 16, pp. 401-402.
ABST. Difference between Baltimore and Penn appointed for this day "was put off till another time."

1684/5.

Feb. 2. Letter. 1683-1685. William Penn to Earl Roch[ester?].

Cf. Mem. Hist. Soc. Pa., v. 1, p. 414, 2d ed., p. 442.

Feb. 9. Letter. William Penn to Marquis Halifax.

Cf. Mem. Hist. Soc. Pa., v. 1, p. 418, 2d ed., p. 446.

Mar. 17. Information touching my Lord Baltimore at Upland.

MS. ORIG. P. R. O., Colonial Papers. Attested 17 Mar. 1684/5.
PUB. Md. Arch., v. 5, pp. 430-433.
Pa. Mag. Hist. & Biog., v. 6, pp. 429-434.
ABST. Narrates incidents as recorded in notes taken at the time by Mr. Haige.

Mar. 17. An Answer of William Markham to Lord Baltimore's allegations. 10 fol.

MS. ORIG. P. R. O., B. T. Md., v. 1, B. C., pp. 26-27.
PUB. Md. Arch., v. 5, pp. 433-435.
Pa. Mag. Hist. & Biog., v. 6, pp. 427-429.
ABST. Narrates his view of interview and explains his absences from appointments.

Mar. 17. Account of a Conference between Lord Baltimore and Wm. Markham. 15 fol.

MS. ORIG. P. R. O., B. T. Md., v. 1, B. C., p. 28.

Mar. 17. Letter. William Penn to Committee of Trade and Plantations.

Ref. to in Minutes of Committee. P. R. O., Colonial Entry Book No. 108, p. 116.
ABST. Requests that an order for quieting the possessions of the land in Delaware. Refused by Privy Council.

Mar. 17. Committee of Trade and Plantations. Minutes of Meeting.

MS. ORIG. P. R. O., Colonial Entry Book, No. 108, p. 116.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 435.
Pa. Arch., ser. 2, v. 16, p. 402.
ABST. Decide to do nothing on request of William Penn for quieting possessions on Delaware pending settlement of case.

1685.

July 15. Order of King to Mr. Attorney General to enter Writts of *Quo Warranto* against Proprietors of East & West New Jersey and of Delaware.

MS. ENTRY. P. R. O., Plant. Gen., v. 32, p. 230, 7 fol.
PUB. Md. Arch., v. 5, pp. 444-445.

Aug. 18. Petition. William Penn to the Lords of Plantation. 2 pp. fol.

MS. ORIG. P. R. O., Colonial Papers, B. T. Md., B. C., p. 30.
PUB. Md. Arch., v. 5, p. 452.
Pa. Arch., ser. 2, v. 16, p. 402.
ABST. Asks that an early day may be set for a hearing.

1685.

Aug. 18. **Committee of Trade and Plantations. Minutes of Meeting.**

MS. ORIG. P. R. O., Colonial Papers, p. 179.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 446.
Pa. Arch., ser. 2, v. 16, p. 402.

ABST. Ordered upon petition of William Penn, who states that the question is about a title of land and not of power, and so not a question of *quo warranto*, that differences concerning boundaries, etc., be heard 26 Aug. at 4 P. M.

Aug. 26. **Committee of Trade and Plantations. Minutes of Meeting.**

MS. ORIG. P. R. O., Colonial Entry Book, v. 52, pp. 183-187.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 453.
Pa. Arch., ser. 2, v. 16, p. 403.

ABST. Baltimore and Penn attend and their Lordships appoint business for Tuesday 2 Sept.

1685. **The case of William Penn, Esq., as to the Proprietary Government of Pennsylvania which, together with Carolina, New York, etc., is intended to be taken away by bill in Parliament. London, 1685, fol. 1 leaf.**

Cf. Sabin's Dictionary No. 59, 686.

Sept. 2. **Committee of Trade and Plantations. Minutes of Meeting.**

MS. ORIG. P. R. O., Colonial Papers Entry Book, v. 52, p. 188.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, pp. 453-454.
Pa. Arch., ser. 2, v. 16, p. 403.

ABST. Baltimore and Penn attending, the latter produces proofs to show that the Swedes and Dutch inhabited Delaware before the date of Baltimore's patent. Ordered that Baltimore be given copies of said proof and be prepard to make his defense by the 30th inst.

Oct. 8. **Committee of Trade and Plantations. Minutes of Meeting.**

MS. ORIG. P. R. O., Colonial Entry Book, v. 52, p. 198.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 454.
Pa. Arch., ser. 2, v. 16, pp. 403-404.

ABST. Baltimore and Penn attending, the former attempts to prove that in 1642 one Ployden sailed up the Delaware river and saw no house there, as was affirmed by Penn. Presents copy of a report of the Commissioners of Foreign plantations 4 April 1638 showing their opinion as to Baltimore's right to the Isle of Kent in his difference with Claybourne. Also presents deposition of Vansweeringen. The Committee requests Baltimore to present attested copy of the Commissioners' reports by Thursday next.

Oct. 17. **Committee of Trade and Plantations. Minutes of Meeting.**

MS. ORIG. P. R. O., Colonial Entry Book, v. 52, p. 207.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, p. 454.
Pa. Arch., ser. 2, v. 16, p. 404.

ABST. Baltimore and Penn called in. Former reports inability to find the original of the report of 4 April 1638 by which the attested copy may be made. The committee thereupon reports their opinion that the tract of land in dispute does not belong to Baltimore, but another meeting will be held to make final decision on the boundaries.

Oct. 31. **Committee of Trade and Plantations. Minutes of Meeting.**

MS. ORIG. Colonial Entry Book, v. 52, p. 211.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, pp. 454-455.
Pa. Arch., ser. 2, v. 16, pp. 404-405.

ABST. Baltimore and Penn attending. It is proposed "that the whole Peninsula or tract of land called Delaware from East to West as far as Cape Henlopen Southward may be divided into two equal parts between His Majesty and my Lord Baltimore." Baltimore given one week to offer objections.

1685. MAP. [Maryland and Delaware with part of Pennsylvania and New Jersey, Chiefly Chesapeake and Delaware Bay.]

17 cm x 33 cm 1 in = 38 miles. No date.

Facsimile of original mss. draft in Auckland mss. at Kings College, Cambridge.

Stevens's facsimiles, v. 12, No. 1237.

Boundary dotted from Fenwick's Id. to Maryland Point slanting to S. E corner Pennsylvania and West across Susquehanna. No circular boundary. Must have been after division of Peninsula decision and before the circular boundary of 1701. Cedar Swamp shown. No isands at Chesapeake end of E. and W. line. Compare with Herman's map. The map of 1732 is based on this.

Papers transmitted by the Lord Baltemore Propr. of Maryland: Relating to the Boundarys of Maryland Pennsylvania & New Castle.

MS. ORIG. P. R. O., Colonial Papers.
PUB. Md. Arch., v. 5, p. 456.

ABST. Baltimore 27 June 1682 determined the latitude of Newcastle 39° 40′ observation by Baltimore and Penn's agents gave Upland as 39° 47′ 5″ whereupon Baltimore claimed rights to go twelve miles up Delaware River to where 40th degree cut the river.

Nov. 7. Committee of Trade and Plantations. Minutes of Meeting.

MS. ORIG. P. R. O., Colonial Entry Book, v. 52, p. 225.
MS. COPY. Md. Hist Soc., Calvert Papers, No. 230.
PUB. Md. Arch., v. 5, pp. 455-456.
Pa. Arch., ser. 2, v. 16, p. 405.

ABST. Baltimore and Penn attending. After hearing Committee resolves to report their opinion to the King that the tract of land between the Delaware and the Chesapeake be divided into two equal parts "by a line from the Latitude of Cape Henlopen to the 40th Degree of Latitude" the eastern half adjudged to His Majesty and the other half to Baltimore.

Nov. 7. Committee of Trade and Plantations [Report on dividing Maryland and Delaware].

MS. COPY. Inclosed in letter from Baltimore, London, 1 Dec. 1685 to Deputy Governor of Maryland. P. R. O., Liber B. p. 1.
MS. COPY. Spread in the King's order of 7 Nov. 1685, Colonial Entry Book, v. 52, p. 107.
PUB. Md. Arch., v. 5, pp. 455-456, 458-459.
Proud, Hist. Pa., v. 1, pp. 293-294.

ABST. Report read from Committee for trade and plantations. Pursuant to King's order of 31 May, 1683, have examined into difference between Baltimore and Penn and find that Baltimore's patent was for uncultivated land, that the land in dispute was inhabited by Christians before the date of Baltimore's patent, has since been made a colony distinct from Maryland. Recommend that the tract of land lying between the Delaware and the eastern sea on the one side and Chesapeake bay on the other "be divided into two equall parts by a line from the latitude of Cape hinlopen to the 40th degree of Northern latitude" the eastern half to be adjudged to the King, the other half to Baltimore.
A compromise measure which saved the King's reputation, Penn's possessions and Baltimore's 40°.

Nov. 13. Order. Dividing Maryland and Delaware issued by King James II.

MS. ORIG. P. R. O., Colonial Entry Book, v. 52, p. 107.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 242.
1 Dec., 1685, in letter from Lord Baltimore to the Deputy Governor of Maryland, Md. records, Liber B, pp. 1-3.
PUB. Md. Arch., v. 5, pp. 456, 458.
Pa. Arch., ser. 2, v. 16, pp. 19-20; 406.

ABST. The King approved the report of the Committee for trade and plantations of 7 Nov., 1685, and ordered that the land "be forthwith divided accordingly" and Baltimore and Penn and all others to take notice thereof.
Cf. Confirmation by Queen Anne, 1709, June 23.

1685.

Dec. 1. Letter. Charles, Lord Baltimore to Colonel Thomas Tailler [*et al*].

MS. COPY. P. R. O., Liber B, pp. 1-2, cf. also P. R. O., B. T., Md., v. 1, B. C., p. 51, 3 fol.
PUB. Md. Arch., v. 5, pp. 457-458.
ABST. Says order was passed unknown to him. (Cf. 31 Oct., which gave him one week's notice.) Hopes the King will make modification of decree; in the meantime wants to keep Fort Christinia.
Letter encloses Report of 7 Nov. and Order of 13 Nov.

1686.

April 28. Commission of Maryland Council to Captain Philius Murry. Christina Bridge.

MS. ORIG. P. R. O., Liber B, p. 3.
PUB. Md. Arch., v. 5, p. 459.
ABST. Ordered to prevent encroachments of foreigners and strangers upon his Lordship's Province without license.
Note. Similar orders sent to sheriffs of Baltimore, Cecil, Talbot, Dorchester and Somerset Counties.

April 30. Memo. Board of Trade to Attorney General to renew *quo warranto* proceedings.

MS. ENTRY. P. R. O., B. T., Plant. Gen., v. 32, p. 232, 4 fol.

May 26. Maryland Council. Minutes of Meeting.

MS. ORIG. P. R. O., Liber B, p. 30.
PUB. Md. Arch., v. 5, pp. 484-486.
ABST. Ordered that pay to soldiers at Christina fort be continued.

1687.

May 16. Privy Council Order to Mr. Attorney and Mr. Solicitor to prosecute the *quo warrantos* issued against the severall Proprietors and Corporations in America.

MS. ORIG. P. R. O., Colonial Entry Book, v. 52, p. 110.
PUB. Md. Arch., v. 5, p. 545.

Oct. 2. Letter. William Penn to James Harrison.

MS. Pemberton MSS.
ABST. One hearing before the Committee has been had with Baltimore who had time to examine "our Holland proofs." Another hearing next week, cf. Janney, Life of Penn, p. 265.

Oct. 25. Letter. William Penn to James Harrison.

MS. Pemberton MSS.
ABST. After full hearing before the Lords of the Committee with Baltimore "he was cast" and the lands in dispute are adjudged not within his patent.

1688.

Dec. 10. Patent. England, Scotland, France and Ireland. King James the Second, 10 Dec. 1688 to William Penn. Not signed.

Endorsement pasted on back in Paris' handwriting. "Patent in fee simple to Penn, 10, 1688. Draft of a Bill.....Sir William..... Williams Solir Genl.....Wm. Penn, Esq. of..... Pensulva.....Origl Bill (each.....4 skins) has Sr Wm. Wms own hand to it, 31 July, 1752, Paris."
14 p. ms. written on one side of the leaf only of copy. Pa. Hist. Soc., Penn MSS.
Another copy ms. not signed. Pa. Hist. Soc., Penn MSS., 1683-1696, pp. 11-19.
See Logan's reference to this in 1726.

1690. MAP of Ye English Empire in America. W. Binneman, sculp. Lond. R. Morden. 23x19½. 1 in.—42 mi. In Americas Maps v. 4, No. 5, Lib. Cong.

Note. North boundary of Md. placed at present 39° hence much below head of Chesapeake Bay. Apparently following Penn's contention that 40° began there. Delaware is separated from Pennsylvania on this map by a dotted arc from Upland west to N. E. corner of Md. anticipating the survey of 1701.

1691.

June 10. Letter. William Penn to ———.

PUB. Votes Rep. Pa., v. 1.
Proud, Hist. Pa., v. 1, p. 202.

ABST. "I would also you should know I have a patent of the lower counties some years since; that when there is occasion for it, you may alledge so, but not otherwise."

Oct. 25. Commission. King William and Queen Mary to Benjamin Fletcher.

MS. 4° Will. & Mariae, 1691.
MS. COPY. P. R. O., B. T., Pa., v. 2, p. 26.
PUB. Pa. Arch., ser. 2, v. 16, p. 409.
Proud, Hist. Pa., v. 1, pp. 378-380.

ABST. Appointing to Governorship of Pennsylvania. This made the government a Royal Province and deprived Wm. Penn of proprietary control. This was restored in less than two years (Aug. 20, 1693).

1691. MAP. Thomas Holme, Surveyor-General, Pennsylvania.

REPUB. L. P. Smith, Phila., 1846.
Ch. L. Warner, 1870.
See Winsor, Narr. & Crit. Hist. Am., v. 3, p. 516.

ABST. A map of the province of Pennsylvania, containing the three counties of Chester, Philadelphia and Bucks as far as yet surveyed and laid out.

1692. Letter. Wm. Penn to a "certain person in Phila." Extract.

MS. P. R. O., B. T., Pa., v. 1, 7 fol.

ABST. They are to insist on the patent with moderation, but steadily.

Dec. 5. Letter. Wm. Penn to Col. Fletcher.

MS. COPY. P. R. O., B. T., Pa., v. 1, 5 fol.

ABST. Hears he is to "command" Pa. Cautions him "to tread softly," as that country and government is Penn's property, no *quo warranto* having affected it.

1693. Petition. Chester County inhabitants to Governor and Council Pennsylvania to have Chester and New Castle County boundary run.

MS. ORIG. Pa. Col. Rec., v. 1, p. 356.
PUB. Ashmead, Hist. of Del. Co., p. 18.
Smith, Hist. of Del. Co., p. 187.

April 11. Maryland Council. Proceedings.

MS. ORIG. Md. Council Proc., Liber K (Md. Hist. Soc.).
PUB. Md. Arch., v. 8, p. 518.

ABST. . . . Susquehannoh Indians being reduced to a small number asked liberty to settle upon their own land at the Susquehannoh fort, to which answer is made "That their Fort as they call it falling within the Limits of another Government as Pensilvania, this Government can take no cognizance thereof."

1693.

Aug. 9. **Pennsylvania Council. Resolution of 9 Aug. 1693 defining Naamans Creek as boundary of New Castle County.**

PUB. Pa. Col. Rec., v. 1, p. 349.

ABST. Upon petition "Resolved that (for the present Convenience of the government, and not for any absolute and finall proprietarie division . . .) the bounds of New Castle Countie shall extend Northward to the mouth of Naman's creek."

Cf. Ashmead, Hist. Del. Co., p. 18.

1694.

Aug. 20. **Grant Restoring of Provinces. William and Mary to William Penn.**

PUB. Proud, Hist. Pa., v. 1, pp. 403-404.
Pa. Col. Rec., v. 1, pp. 437-438.
Pa. Arch., ser. 2, v. 16, p. 411.
Pa. Arch., ser. 4, v. 1, pp. 71-73.
Annuls action of 1693.

1694/5.

Mar. 6. **Letter. County Court of Sussex to Justices in Maryland.**

MS. Sussex Records, No. 17, fol. 35, 36.
PUB. Pa. Arch., ser. 2, v. 16, pp. 412-413.

ABST. Suggest that all acts of violence be avoided until boundary is run.

1695. **A Map of Virginia, Maryland, Pennsylvania, East and West New Jersey, by John Thornton at the Platt in the Minories & by Will Fisher at ye Postern Gate on Tower Hill, London. 30" x 20" n. d. scale approx. 1 inch to 9 miles.**

Md. Hist. Soc.

1695/6.

Jan. 12. **Deed of Lease. Thomas Dongan to Wm. Penn.**

PUB. Pa. Arch., ser. 1, v. 1, pp. 121-122.

ABST. This together with other letters shows that Penn and Dongan were jointly interested in acquiring control of the land on both sides of the Susquehanna "beginning at the Mountains or head of the said river, and running as farr as and into the Bay of Chesapeake." This is followed by a warrantry deed of same date and descriptions.

Feb. 22. **Letter. Markham to Wm. Penn.**

MS. P. R. O., B. T., v. 2 B, 3, No. 16, 3 fol.

ABST. Letters from Mr. Clark that the Marylanders continue to encroach on Pa. bounds.

1696.

June 18. **Declaration against Lord Baltimore.**

PUB. Pa. Arch., ser. 1, v. 1, pp. 88-91.
Cf. Pa. Col. Records, v. 1, pp. 59, 62.

ABST. Drawn up by Thomas Holmes (et al) and approved by Governor and Council. Objects to proclamations of May 15, 1683, action of Murfy and Talbot and the building of Christina Fort.

1696/7.

Jan. **Petition. William Penn to the Great and Excellent Queen Anne of Great Britain, &c.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 249.

ABST. Asks Queen to order both proprietarys to pursue the orders in 1685.

1697.

June 11. **Address of the Council and Assembly of Maryland to the Lords Commissrs of Trade and Plantations relating to the Bounds of Maryland.**

Note. Title given in Calvert Paper No. 249 and in Acts of Assembly for this date. Md. Arch., v. 19, p. 588. Address not found.

1697.

Aug. 24. Lords Commissioners of the Council of Trade by William Popple, to Mr. Penn [notice of order on running the boundaries] 1 p. ms. (4 pp.) 4° folded as wrapper and addressed "to William Penn, Esq. These." Red wax seal.

Ms. Orig. Penn MSS. Off. Corr., v. 1, 1683-1727, p. 15. No. 16. Allen, Cat. Penn Papers, 1870.
Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 249.
Abst. To prevent disputes for want of a fixt settlement of the boundaries "directions have been given to Coll. Nicholson, Gov. of Maryland for running the line of Division according to Council" of King James, 13 Nov., 1685. Asks that directions be given for concurrence in that work on part of Pennsylvania.

Sept. 1. Letter. William Penn to Governor Markham.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 249. P. R. O., B. T., Proprieties, v. 1, A52, 2 fol.
Abst. Authorizes him to proceed under the following letter.

Sept. 2. Letter. Lords of Trade to Governor Nicholson of Maryland.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 249.
Abst. Refers to order of 1685 under which he is to act and incloses preceding letter and copy of order of 1685.

1698.

May 26. Memorandum. Several matters relating to Maryland and Pensilvania. Dictated to me [Mr. Bladen?] by the Governor of Maryland, Patuxent, Maryland, 26 May, 1698.

Ms. Copy. Bridgewater Manuscripts, v. 25.
Pub. Md. Arch., v. 25, pp. 580-588.
Abst. Charges Penn with illegal practices regarding trade and injustice of Quaker courts. "The Governor thought it not expedient to answer Mr. Penn's letter or to hold any correspondence with him without your Lordship's command or direction." Refers to an address made to the Lord Commissioner that the "Division Line" be "setled." "His Excellency desires that if Mr. Penn or any other person have anythin to object to him that they may put the same in writing, sign it and give security to prosecute the accusation that he may have his legal remedy against them if they fail to make it good."

Aug. 20. Letter. Governor Nicholson to Lords of Trade.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 249.
Note. Used at examination in chancery.
Abst. Claims that he could do nothing because duplicate of order of Nov., 1685, was lost in transit.

1699.

Sept. 20. Letter. Lords of Trade to Governor Blackiston.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 249.
Abst. Orders that boundaries be settled while Mr. Penn is in the country.

1699. Petition. Charles, Lord Baltimore to Queen against Order of 7 Nov. 1685. 4 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 253.
Note. Used in examination in chancery.

1700. An Act for the effectual establishment and confirmation of the freeholders of the province and territories, their heirs and assigns, in their lands and tenements ( ) 1700.

Laws of Del., 1700-1797, v. 1, app., p. 30.

1700. A new map of Virginia, Maryland, etc. London, 1 in.—13 mi., in Atlas Major of De Wit. Printed and sold by C. Brown, 1700.

Note. Boundaries of Md. entire, showing theoretically the results of the 1685 and 1697 decree. The N. bd. of Md. identical with 40° crossing, at lat. of Newcastle, the Susquehanna at mouth of Octoraro.

April 29. Maryland Council. Proceedings.

MS. COPY. P. R. O., Colonial Records Office, B. T. Md., v. 15, p. 10.
PUB. Md. Arch., v. 24, p. 42.
ABST. Replying to the question of the Governor. The Governor asks Council "whether the charge therefor [the running of the line] in right ought to be borne by the proprietorys between whom the dispute was or at the publick charge of this Province."

April 29. Maryland House of Delegates. Minutes.

MS. ORIG. Md. Hist. Soc., p. 18.
MS. COPY. P. R. O., Colonial Records, B. T. Md., p. 11.
ABST. The House decided that the "Publick of this Province ought not to be at any part of the charge in running this line."

Dec. 3. Letter. Stanford [*et al*] to [Governor Blackistone].

MS. COPY. Md. Council Proc., Liber 8 D, p. 275.
PUB. Md. Arch., v. 25, pp. 109-111.
ABST. "As for the Division Line to be run between Maryland and Pensilvania, Pursuant to the late King James' Order in Council of the 13 November, 1685. We have Sent to the Lord Baltimore That he may give Instructions to his Agents in Maryland to Concurr therewith and according as we receive Answer from him, We shall Informe you."

1701.

May 6. Letter. William Penn to Colonel Jinkins and Lieutenant Colonel Whittington, or either of them, in Somerset Co. Maryland.

PUB. Pa. Arch., ser. 1, v. 1, p. 147.
ABST. Desires peace to be preserved and no disturbance among the inhabitants of Cedar Creek nor on this side of Cape Henlopen "for this is Cape Cornelius that Privy Council saw in ye old Dutch mapps and as was certifyed from Amsterdam under ye Seal of ye Dutch East and West Indies Company upon ye trial between Lord Baltimore and himself," cf. 1685.

THE "CIRCULAR" BOUNDARY.

July 20. Petition of 20 July, 1701. Pennsylvania Assembly to Penn to determine boundary line between New Castle and Chester Counties.

PUB. Futhey and Cope, p. 160.
Ashmead, Hist. Del. Co., p. 18.

July William Penn. Reply to Pennsylvania Assembly petition to determine a boundary between New Castle and Chester Counties. And appointing a conference.

Aug. 28. Warrant. To run circular line of 1701 issued to Isaac Taylor of Chester County and Thomas Pierson of New Castle County.

MS. ORIG. In Phila. Library, according to Armstrong Records of Upland Court, p. 200. In Recorder's Office, Phila. Book, C. 2, No. 3, p. 166, according to Smith's Hist. Del. Co., p. 206.
See Extracts in Ashmead, Hist. Del. Co., p. 18; Futhey and Cope, p. 160. Franklin Inst., J. C., v. 4, July, 1842.

Oct. 31. Agreement about Charter. Wm. Penn and the Lower Counties.

PUB. Penn and Logan corresp. Pa. Hist. Soc. Mem., v. 9, pp. 58, 59.
ABST. Confirms titles of lands and promises a charter of property.

1701.

Taylor and Pierson. Field notes of survey.

MS. ORIG. Pa. Hist. Soc.

Note. Formerly in Franklin Inst. Cf. Journal, Franklin Inst., v. 4, July, 1842.

Dec. 4. [Taylor and Pierson] Report on running of circular boundary accompanied by attestation of Justice Cornelius Empson and John Richardson of New Castle Co. and Justice Caleb Pusey, Philip Roman and Robert Pyle of Chester Co.

MS. COPY. Wilmington, Recorder of Deeds Office [Book of Surveys]. Misc. Papers, pp. 98, 99. Copied according to Act of General Assembly from original papers, 1808.

See copy of map from Chichester to Western branch of Christina Creek showing Newcastle branch, Centre and North line to white oak near forks of Brandywine.

1701. Delaware Circular Boundary. Map of the circle around Newcastle showing property touched by the tangent.

MS. PARCHMENT. 25½ x 28½. Colored, 1 mile = 1¾ in.
MS. COPY. Md. Hist. Soc., Calvert Papers, 1047, 1048.
Ref. to in Armstrong Records, Upland Court, p. 200.
See Futhey and Cope, Hist. of Chester County, p. 160.
Ashmead, Hist. of Delaware County, p. 618.

MAP. Illustrations of Thomas Campanius Holm's. "A Short Description of the Province of New Sweden."

MS. COPY. [By Md. Hist. Soc.] 1856. 28 x 14½. No scale.
Pa. Hist. Soc. [Penn Ms.]. Off. Corr., p. 213.

Note. Delaware river settlements. Shows circular dotted line about Newcastle.

Thomas Holme, Surveyor General. A map of the Province of Pennsilvania. Containing the three countys of Chester, Philadelphia and Bucks, as far as yet Surveyed and Laid out ye Division or distinctions made by ye different Colliers respects the Settlements by way of Townships. Dedicated to William Penn by John Thornton and Robert Green.

Copy in possession of Gilbert Cope Winchester shows Naaman's Creek, Chichester, Marcus, Hook. Grant and Tracts lying along first lines run.

Facsimile of Holme's map of the Province of Pennsylvania with the names of the original purchasers from William Penn begun in 1681. Republished by Chas. L. Warner, Phila., 1870.

May 7. Letter. James Logan to Wm. Penn.

PUB. Penn and Logan corresp. Pa. Hist. Soc. Mem., v. 9, pp. 92-101.

ABST. Newcastle County disapprove of the new circular boundary which "they say is swept too far around them."

June 3. Letter. Secretary Popple to Wm. Penn.

MS. P. R. O., B. T., Proprieties, v. 28, p. 55, 4 fol.

ABST. Desires account of his right and title to the soil and title of the 3 Lower Counties.

Oct. 12. Maryland Council. Proceedings.

MS. ORIG. Council Proc., Liber X, p. 293.
PUB. Md. Arch., v. 25, p. 130.

ABST. Action on Petition of John Jill and John Stokely of Sussex County in Pennsylvania postponed "until the dividing Line is run between the Province and Pennsylvania."

1701.

Dec. 4. **Declaration. Wm. Penn to Board of Trade.**

MS. ORIG. P. R. O., B. T., Proprietles, v. 7, L. 6, 4 fol.
ABST. Showing the Queen's title to the 3 Lower Counties.

Dec. 10. **Letter. Secretary Popple to Wm. Penn.**

MS. ENTRY. P. R. O., B. T., Proprietles, v. 28, p. 267, 3 fol.
ABST. Returns Penn's declaration of Dec. 4 and requests one conformable to Order in Council.

1702/3.

Feb. 24. **Award of Grand Jury by Chester County Court for running circular line dividing this County from County of Newcastle.**

PUB. Ashmead, Hist. Del. Co., p. 19.
Smith, Hist. Del. Co., p. 206.
Old Court Records. 1st oldest in Prothonotary, 2nd in Clerk of Court.

1703.

May 11. **Letter. Wm. Penn to Board of Trade.**

MS. ORIG. P. R. O., B. T., Proprietles, v. 7, L. 28, 2 fol.
ABST. Is willing to resign the government of Pa. to the crown.

May 12. **Letter. Secretary Popple to Wm. Penn.**

MS. ENTRY. P. R. O., B. T., Proprietles, v. 28, p. 314, 2 fol.
ABST. Asks conditions for his resignation of Pa.

May 18. **Letter. Wm. Penn to Board of Trade.**

MS. ORIG. P. R. O., B. T., Proprietles, v. 7, L. 29, 2 fol.
ABST. No necessity to write down conditions. Has given enough to lay before the Queen.

May 21. **Letter. Board of Trade to Earl of Nottingham.**

MS. ENTRY. P. R. O., B. T., Proprietles, v. 28, p. 320, 2 fol.
ABST. Reporting Penn's proposal.

June 6. **Letter. Wm. Penn to Board of Trade.**

MS. ORIG. P. R. O., B. T., Proprietles, v. 28, N. 33, 12 fol.
ABST. Answers Board's observations on draft of a new charter desired by him.

June 8. **Letter. Earl of Nottingham to Board of Trade.**

MS. ORIG. P. R. O., B. T., Proprietles, v. 7, L. 35, 2 fol.
ABST. Her majesty is willing to treat with Penn for Pa.

June 10. **Letter. Secretary Popple to Wm. Penn.**

MS. ENTRY. P. R. O., B. T., Proprietles, v. 28, p. 338, 2 fol.
ABST. Submits proposals for yielding Pa. to crown.

June 18. **Letter. Wm. Penn to Board of Trade.**

MS. ORIG. P. R. O., B. T., Proprietles, v. 7, L. 38, 9 fol.
ABST. Submits proposals for yielding Pa. to crown.

1704.

April 28. **Case of Pennsylvania from Coll. [John] Evans [Governor of Pennsylvania] entered in the Maryland Assembly Proceedings.**

MS. ORIG. P. R. O., B. T. Md., v. 18, pp. 18-21.
PUB. Md. Arch., v. 24, pp. 373-376.
ABST. The argument is presented with historical summary to the effect that all suits by Maryland on inhabitants in the disputed territory should be postponed until the division line be run.

1704/5.
Jan. 2. Letter. Wm. Penn to Board of Trade.

MS. ORIG. P. R. O., B. T., Proprieties, v. 8, after N. 1, 5 fol.
ABST. Offering to surrender government of Pa. on certain conditions.
Note. He made further inquiries (Mar. 9). See same vol., N. 26.

Aug. 22. Letter. James Logan to Wm. Penn.

PUB. Mem. Pa. Hist. Soc., v. 10, pp. 41-58.
ABST. A pathetic discussion of Penn's financial straits by the loyal Logan and the suggestion that conditions might be improved by selling the Government of Pennsylvania to the crown.

1705.
May. Draft of New Patent to Wm. Penn on granting of which he will surrender government of Pa.

MS. COPY. P. R. O., B. T., Proprieties, v. 28, N. 30, 40 fol.

1706/7.
Jan. 29. Letter. Wm. Penn to Board of Trade.

MS. ORIG. P. R. O., B. T., Proprieties, v. 8, O. 87, 3 fol.
ABST. Hastening consideration of his proposals for surrender of Pa.
Note. Referred to Earl of Sunderland Feb. 5.

Feb. 5. Dartmouth, Cecil and others recommending re-uniting of Pennsylvania to the Crown.

MS. COPY. Pa. Hist. Soc., Penn MSS., Off. Corr., v. 1, p. 41.

1707.
April 15. Maryland. Acts of Assembly.

Cf. Pa. Arch., ser. 2, v. 16, pp. 422-423.
ABST. Imposes taxes on householders rolling tobacco into Pennsylvania or the territories thereto belonging.

April 28. Pennsylvania Council. Minutes regarding address by Governor of Maryland to Queen requesting her orders to the Proprietor to run Division lines.

MS. ORIG. Pa. Colonial Records, v. 2, p. 362
PUB. Rept. Sec'y. Int. Aff. Boundaries, 1887, p. 1.
ABST. Believes petition fairly drawn but orders that another petition be drawn in Pennsylvania.

1707/8.
Feb. 20. Letter. Secretary Popple to Wm. Penn.

MS. ENTRY. P. R. O., B. T., Proprieties, v. 30, p. 30, 1 fol.
ABST. Asks him to attend Board of Trade about the boundaries.

Feb. 21. Letter. Mr. Conway Ratcliff [Radcliffe?] to Lord Baltimore.

MS. ORIG. P. R. O., B. T., Md., v. 5, H. 63, 1 fol.
ABST. On observations made on Palmer's Island.

March 3. Letter. Wm. Penn to Secretary Popple.

MS. ORIG. P. R. O., B. T., Proprieties, v. 9, p. 26, 3 fol.
ABST. Promises to give an account of the boundary proceedings.
Note. Penn was urged Mar. 10 to hasten this report (see same MSS., v. 30, p. 35) and on requesting Mar. 29 (see v. 9, p. 28) a month's time was given until April 26th by the Board (see v. 30, p. 36).

1708.
July 2. Letter. Wm. Penn to Board of Trade.

MS. ORIG. P. R. O., B. T., Proprieties, v. 9, p. 45, 3 fol.
ABST. Encloses declaration of Crown's right to 3 Lower Counties.

1708.

Aug. 29. Letter. Secretary Popple to W. Penn and Lord Baltimore.

MS. ENTRY. P. R. O., B. T., Md., v. 11, p. 54, 1 fol.

ABST. Desires them to come to agreement about boundary line to lay before the Board by Oct. 12 next.

Dec. 18. Letter. Secretary Popple to Wm. Penn.

MS. ENTRY. P. R. O., B. T., Proprieties, v. 37, p. 71, 1 fol.

ABST. Requests immediate transmission of intended agreement with Baltimore.

1708/9.

Jan. 9. Petition. Charles, Lord Baltimore to Queen Anne.

Cf. Pa. Arch., ser. 2, v. 16, p. 22, pp. 425-426.

ABST. Asks that Order of 13 Nov., 1685, be set aside on the ground that it was founded on false statement of facts and that the division line be run and the lower counties be adjudged to him. See Pa. Hist. Soc. Mem., v. 1, p. 216.

Jan. 9. Order Royal Council referring Lord Baltimore's petition to Board of Trade.

MS. ORIG. P. R. O., B. T., Md., v. 25, H. 84, 7 fol.

Jan. 12. The case against Lord Baltimore relating to the bounds. Wm. Penn to the Board of Trade.

MS. P. R. O., B. T., Proprieties, v. 9, p. 52, 9 fol., cf. Sabin, No. 59087.

Jan. 13. Summons. Board of Trade to Wm. Penn.

MS. ENTRY. P. R. O., B. T., Proprieties, v. 37, p. 85, 1 fol.

ABST. To attend on Baltimore's petition.

Jan. 27. Petition. Wm. Penn to Queen Anne. Cf. Pa. Arch., ser. 2, v. 16, p. 427.

ABST. Asks dismissal of Lord Baltimore's petition of Jan. 9.

Jan. 27. Order of Queen Anne in Council in dismissing petition of Charles, Lord Baltimore.

Cf. Pa. Arch., ser. 2, v. 16, p. 23; p. 427.
Puttick & Simpson [auction] catalogue No. 269, London, 1872, for copy endorsed by Wm. Penn.

Mar. 10. Letter. Governor John Seymour to [Board of Trade].

MS. ORIG. P. R. O., B. T., Md., v. 5.
PUB. Md. Arch., v. 25, pp. 267-270.

ABST. "Hopes to have royal command about running out the Northern Lyne of this province, or to heare my Lord Baltimore and Mr. Penn have adjusted that matter between themselves."

1709.

April 6. Letter. Wm. Penn to Board of Trade.

MS. ORIG. P. R. O., B. T., Proprieties, v. 9, p. 60, 1 fol.

ABST. Desires copies of letters and orders given on boundaries.

April 16. Petition of William Penn to Queen Anne in Council asking that officers of both proprietors obey the order of 1685.

Cf. Pa. Arch., ser. 2, v. 16, p. 428.

Note. Petition was referred to ascertain matters of fact.

1709.

May 19. Petition. Charles, Lord Baltimore to Queen Anne, 3 p. fol. 1709.

Pa. Arch., ser. 2, v. 16, p. 23, p. 428.
Cf. Coleman Catalogue, Penn Papers, 1870, No. 299.
ABST. Counter petition to controvert that of Penn (16 Apr. 1709) declaring he never was heard in his own defense in proceedings of 1685. (This was contrary to the facts and both petitions were thrown out by the Order of 23 June 1709.)

June 9. Letter. Wm. Penn to Secretary Popple.

MS. ORIG. P. R. O., B. T., Md., v. 5, H. 89, 1 fol.
ABST. Asks for copy of the part of Baltimore's charter which relates to boundaries.

June 23. Order. Queen Anne in Council.

MS. COPY. Pa. Hist. Soc., Penn. MSS. "Boundaries," p. 16.
Cf. Pa. Arch., ser. 2, v. 16, p. 24, p. 429. Coleman Catalogue, Penn Papers, 1870, No. 103.
ABST. Dismissing, after a full hearing, a petition of Charles, Lord Baltimore, praying to be heard against an Order of Council dated 13 Nov. 1685.

MAP. North America. By John Senex. London. 37½x25 Col. 1 in.—150 mi. Lib. Cong.

Note. This is the first map by Senex (afterwards employed by both proprietors to make the map attached to the Agreement of 1732) and shows the northern boundary of Md. above 40° and extending to Alleghany Mts. The western boundary of Md. inclines at an angle following the tops of the mountains. This line by many later map-makers is adopted as the line between Md. and Pa. thus making a crooked line. In his 1719 ed. the Potomac crosses the boundary at the site of Ft. Cumberland. Cf. also his atlas of 1721 and his 1735 map of Va.

July 31. Letter. Lord Dartmouth to Board of Trade.

MS. ORIG. P. R. O., B. T., Proprieties, v. 9, p. 100, 14 fol.
ABST. Encloses Penn's memorial proposing to surrender Pa. to the Crown.

Dec. 7. Letter. Wm. Penn to Board of Trade.

MS. ORIG. P. R. O., B. T., Proprieties, v. 9, Q. 4, 8 fol.
ABST. Offer to surrender Pa. for £20,000 payable in 7 years.
Cf. Proud, Hist. Pa., v. 2, p. 117 who states £1,000 was actually paid on £12,000 agreed on, confusing this with the original debt of the Crown to Admiral Penn.

1710/11.

Feb. 13. Report. Board of Trade to Lord Dartmouth.

MS. ENTRY. P. R. O., B. T., Proprieties, v. 30, p. 254, 17 fol.
ABST. Representations to Queen on Penn's proposal.

[Mar.] 14. Letter. William Penn to Governor Gookin.

PUB. Pa. Hist. Soc. Mem., v. 4, pp. 210-212.
ABST. "I hope . . . to get the Division Line run between me and the Lord Baltimore." Is now treating for surrender of his government of Pa.

1711.

Dec. 19. Letter. James Logan to Henry Gould and Silvanus Grove.

PUB. Pa. Arch., ser. 2, v. 7, pp. 28-30.
ABST. "Till the Gov. can fully settle the Division lines between him & ye Ld Baltimore, which cannot be effectually done, I doubt, till a surrender."

1712.

May 12. **Letter. Geo. Dakeyne to James Logan.**

PUB. Pa. Arch., ser. 2, v. 7, p. 67.

ABST. Says Lord Baltimore's agents have offered him large money to give them draft of Newcastle County; that he refused but that Sherman, county surveyor of Suffolk, had given one.

May 27. **Will of William Penn.**

PUB. Pa. Hist. Soc. Mem., v. 1, pp. 219-222.
Proud, Hist. Pa., v. 2, pp. 114-118.
Cf. Pa. Arch., ser. 2, v. 16, p. 438.

Note. Will without date confirmed. May 27, 1712. Probated Nov. 1718.

1712/13.

Feb. 26. **Letter. James Logan to Penn.**

PUB. Pa. Arch., ser. 2, v. 7, pp. 31-35.

ABST. Complains of differences in methods for granting lands in Pennsylvania and Maryland to the disadvantage of the former. Of Cape Henlopen says "nobody here has any notion of any other, tho' the old Dutch map expresses it otherwise." Of 40° says "if taken according to common acceptation, I have more reason than I care to mention to suspect that ye line will fall much more to the Northwd than has generally been appointed."

1713.

June 9. **Letter. Chas. Calvert to the Deputies at Philadelphia. 3 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1075.

ABST. Recommends neighborly understanding to take 40° N. lat. as Maryland's northern boundary. Denies having surveyed lands north of this.

Sept. 8. **Letter. James Logan to Governor Penn.**

PUB. Pa. Arch., ser. 2, v. 7, pp. 36-39.

ABST. Refers to rumor that Deeds from Duke of York to Penn were passed before the patent was issued from the King to James. [They were by more than six month].

1714.

May 29. **Letter. James Logan to Thomas Gray.**

PUB. Pa. Arch., ser. 2, v. 7, pp. 41-45.

ABST. Concerning Lord Baltimore's observations to fix 40° and line from Octoraro on Susquehanna to Delaware. Says through ignorance or intent they erred on the side that favors them. Says Cape Henlopen is wrongly placed on Old Dutch map which was then in possession of William Penn.

1715.

April 26. **Maryland. Act of Assembly.**

Cf. Md. Statute Book, fol. 73.
Pa. Arch., ser. 2, v. 16, p. 430.

ABST. One of several acts imposing duties on goods imported from Pennsylvania. This was applied to the Lower Counties as well, indicating that they were then regarded as *extra* Maryland territory.

May 28. **Confirmation of Taylor and Pierson Surveys by Pennsylvania Assembly. Act of 28 May, 1715.**

See: Dallas, Laws of Pa., v. 1, p. 105.
Ashmead, Hist. Del. Co., p. 19.
Smith, Hist. Del. Co., p. 222.

Note. Confirms survey of circular boundary made in 1701.

June 2. **Letter. Hannah Penn to James Logan.**

Cf. Armisted, Memoirs of Jas. Logan, Lond., 1861.

ABST. Why perfecting of the agreement is dropped for awhile.

Aug. 15. **Resolution. Committee House of Commons.**

MS. ORIG. P. R. O., B. T., v. 10, Q. 32, 1 fol.

ABST. Calls on Board of Trade for books and papers relating to charter and proprietary governments in America.

1715.
Oct. 28. Letter. James Logan to [William Penn].

Ms. Pa. Hist. Soc., Penn Mss. Papers "relating to the three lower counties," x, p. 113.

ABST. Has seen an old Dutch map of Delaware. Finds the river being first discovered by Cornelius May. He called the first Cape by his surname, Cape May, and the south cape, Cape Cornelius. At the same time, Henlopen was the name of the "false cape," 20 miles from there, [cape Cornelius]; but in the process of time it was transferred to the main south cape. This is important, for hereupon depends the division of Sussex from Maryland to the south.

Dec. 29. Letter. Secretary Stanhope to Board of Trade.

Ms. ORIG. P. R. O., B. T., Proprieties, v. 10, Q. 110, 5 fol.

ABST. Enclosing memorial from Earl of Sutherland for grant of 3 Lower Counties.

1715. Claims of the Proprietors of Maryland and Pennsylvania stated.

Ms. COPY. Amer. Philos. Soc., 12 pp. stitched between parchments with Minutes of Trade and Plantations, Nov. 13, 1683.
Amer. Philos. Soc., 12 pp. Lacks pages 9-12 of preceding and has additional note on f. 2 (after "than 15 miles over") in different handwriting attached by pin. Also interlineations and verbal changes in later hand.
Md. Hist Soc., Calvert Papers, No. 255.

PUB. Md. Arch., v. 7, p. 72.

Note. Said to have been written by James Logan.

1716/17.
Feb. 13. Letter. Secretary Popple to Attorney and Solicitor Generals.

Ms. ENTRY. P. R. O., B. T., v. 31, p. 70, 2 fol.

ABST. Asking opinion on Earl of Sutherland's petition.

Feb. 23. Summons of Edward Northey to William Penn to appear at his Chambers in Pump Island in Middle Temple to hear considered the memorial of John Earl of Sutherland for grant of three Lower Counties.

Ms. ORIG. Pa. Hist. Soc., Penn MSS. Off Corr., v. 1, p. 51.

1717. Letter. Governor Hart. Interrogations proposed to Charles Carroll of Maryland by Governor John Hart.

Ms. ORIG. P. R. O., "Forfeited Estate." T. 2.
PUB. Amer. Cath. Hist. Researches, v. 8, Apr. 1891, pp. 83-86.

Mar. 27. Letter. Earl of Sutherland to Board of Trade.

Ms. ORIG. P. R. O., B. T., Propr., v. 10, Q. 115, 1 fol.

ABST. Desires copy of Penn's declaration on Crown's right to 3 Lower Counties.

May 29. Letter. James Logan to Mrs. Penn and Mr. Goldney.

PUB. Pa. Arch., ser. 2, v. 7, pp. 50-53.

ABST. Has doubts whether date of King's patent to Duke was prior to Deeds of Duke to Wm. Penn. [They were not]

June 13. Delaware Assembly. To the Honorable William Keith, Esq., with the Royal approbation. Lieut. Governor of the Counties of Newcastle, Kent and Sussex, upon Delaware and the Province of Pennsylvania. The Honble address of the representatives of the said counties in General Assembly at Newcastle, 13 June 1717 [on his first meeting them].

Printed by Andrew Bradford, Phila. 1717, 3 p. fol., excessively rare.
An interesting paper giving a summary of the history of the three counties on Delaware.
Cf. Puttick & Simpson [auction] catl. libraries of Wm. Penn, London, 1872. No. 845.

1717.

Oct. 21. **Report on Petition of Earl of Sutherland to King for grant of the three Lower Counties. 6 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 258-259.

Note. Petition presented Dec. 29, 1716. [Same as Nov. 18, 1725?] Progress of Earl's claim can be traced in P. R. O., B. T., Proprieties, v. 10, Q. 110; v. 31, p. 70; v. 10, Q. pp. 115, 134. Cf. Dixon, Penn, p. 325, footnote.

Oct. 28. **Letter and Opinion. Edward Northey and William Thomson to King. Opinion on Earl of Sutherland's Request for three Lower Counties.**

MS. ORIG. P. R. O., B. T., Amer. and W. Ind., v. 388, 60 fol.
MS. COPY. P. R. O., B. T., Proprieties, v. 10, A 134, 57 fol.
PUB. Chalmer's Opinions, p. 39.
Cf. Pa. Arch., ser. 2, v. 16, pp. 432-437.

ABST. "And we do most humbly Certify your Majesty that the said William Penn is entitled under the Grant of King Charles the Second to the Plantation of Pensilvania But that these Counties are not included in such Grant and His Title to Pensilvania is not now Contested."

1718.

Oct. 1. **Letter. James Logan to Simon Clement.**

MS. ORIG. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, p. 79.

ABST. Reviews Duke of York's right to 3 Lower Counties which if severed "not only the trade and navy of the Province would be ruined but it might deeply offset the family's estate even in the province."

Oct. 28. **[Minutes of a Conference] taken by consent of both parties at a meeting between Governors of Maryland and Pennsylvania held at Colonel Hynson's house, 28 Oct. 1718.**

MS. COPY. Md. Council Proc., Liber X, pp. 72-74.
PUB. Md. Arch., v. 25, pp. 407-408.
Pa. Arch., ser. 3, v. 4, p. 61.
Pa. Col. Rec., v. 3, pp. 51-53.

ABST. Deals chiefly with the Nottingham tract. See also Pa. Col. Rec., v. 3, pp. 161.

Nov. 18. **Deed. Poll of Appointment by Hannah Penn to John Penn (*et al.*)**

Cf. Pa. Arch., ser. 2, v. 7, p. 54; v. 16, pp. 25-26, pp. 439-440.

1718/19.

Jan. 29. **Opinion. Fra. Amesley on will of Wm. Penn.**

PUB. Pa. Hist. Soc., Mem., v. 1, pp. 227, 228.

ABST. Favorable to Penn.

Jan. 31. **Opinion. Js. Hungerford on will of Wm. Penn.**

PUB. Pa. Hist. Soc., Mem., v. 1, pp. 226, 227.

ABST. Devise of Pa. to two trustie earls is good as is devise of lands to Hanna Penn.

Mar. 6. **Letter. Lucian Clements to J. Logan.**

PUB. Pa. Hist. Soc. Mem., v. 1, pp. 233-238.

ABST. Clement, uncle to Hannah Penn, says Ld. Baltimore will let boundary contest rest until he is of age when he hopes to be accommodated.

1719.

July 21. **"Delaware" Assembly Act of 21 July, 1719, repealing Act of 28 May, 1718 corroborating circular line between Chester and Newcastle Counties.**

See: Ashmead, Hist. Del. Co., p. 19.

1719.
Aug. 7. Letter. Lords Commissions Trade and Plantations to [?]

PUB. Pa. Arch., ser. 1, v. 3, p. 222.
ABST. Asked to return true boundaries.

Sept. 24. Opinion. G. Savage on will of Wm. Penn.

PUB. Pa. Hist. Soc., Mem., v. 1, pp. 225, 229.
ABST. Devise to Hanna Penn is void.

The case of William Penn, Proprietary and Governor-in-Chief of Pennsylvania and Territories, against the Lord Baltimore's Pretensions to a Tract of Land in America, Granted to the said William Penn in the year 1672, by his then Royal Highness, James Duke of York, adjoyning to the said Province, commonly called the Territories thereof. [n. p. 1682-1720], fol. 1 leaf.

Cf. Sabin's Dict. No. 59, p. 672.

1719/20.
Jan. 29. Letter. James Logan to Hannah Penn.

MS. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 6, p. 89.
ABST. Boundary uncertainties have created such a disturbance that the inhabitants will not even by armed force pay taxes till the decision as to which is proprietor.

1720.
Sept. The humble petition of Hannah, the widow of William Penn, Esqr., the late proprietor and governor of the province of Pennsylvania, to Their Excellencies the Lords Justices of Great Britain.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 17.
ABST. Reviews the history of the proprietary affairs of Pennsylvania from the time of the grant in 1680 by King Charles II to the negotiations with the late Queen [Anne] for the sale of the three lower counties to Her Majesty, left unfinished by reason of her death. States that the Penn family had been disturbed in the possession of these three lower counties by the late Lord Baltimore, who lay claim thereto as lying within the limits of his patent for Maryland. Notwithstanding the order of the late King James II in council in 1685, confirmed by the late Queen in 1709, his lordship's [Baltimore] agents have never conformed thereto. Prays that the tract referred to be passed upon in order that the title and inheritance may be strengthened and confirmed and that a peremptory may be given to enforce the settling of the limits with the lord Baltimore, according to the before mentioned order in council. Copy enclosed with letter of the Chief Justice referring the matter to the lords and commissioners for trade and foreign plantations. 8 p. text, 7 p. F.

Sept. 12. Order. The Lord Justices in Council.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 17.
ABST. Refers the petition, copy of which is annexed, of Hannah Penn, praying for peremptory order to enforce the settling of the limits of their boundaries, to the lord commissioners of trade and plantations to consider the object referring to the boundaries and to report what should be done. Auto-signed Temple Stanyan. Stamped with the royal seal. Endorsed. 2 p. text 1, p. fol.

1720. Penn Hannah. The case of Hannah Penn, the widow and executrix of William Penn Esq., late Proprietor and Governor of Pensilvania [reciting historically the grants to Penn and others, and protesting against the pretensions of Lord Sutherland] [Lond. 1720] A. folio broadsheet "a scarce and important historical paper."

Cf. No. 543 in Puttick and Simpson [auction] catalogue of the libraries of William Penn, London 1872.

1721.

Aug. 21. **Deposition. Adam Short of Christinia River upon Delaware but late of Cecil County in Maryland. Concerning an unlawful force Committed by David Evans of Welch Tract.**

MS. ORIG. Council Proc., 1721-1727, Liber X, pp. 14-18.
PUB. Md. Arch., v. 25, p. 370.

ABST. Deals with a tract of land near the Circular boundary.

1721/2.

Jan. 19. **Proclamation By Lt. Governor [Charles Calvert].**

MS. ORIG. Md. Council Proc., Liber X, pp. 58-63.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 280.
PUB. Md. Arch., v. 25, pp. 398-402.

ABST. The proclamation contains the order of Council of 13 Nov. 1685 and claims that the lands toward the Chesapeake and the Susquehanna . . . . ought in no wise to be taken or deem'd as any part of the land in difference between the Proprietors of Maryland and Pennsylvania. Claims to 40° on strength of Ld. Baltimore's observations of latitude Sept. 24, 1682, at Upland, and again in 1683.

Mar. 2. **A Plain View of all that has been done or Publickly talked for the 20 years last by past concerning the Boundaries of the Provinces of Maryland and Pennsylvania.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 264.
Council Proc., Liber X, pp. 67-74.
PUB. Md. Arch., v. 25, pp. 404-408.

ABST. Reviews the trip of Charles Baltimore to the head of the Susquehanna in 1682 the running of the line from Octoraro Creek, the escorting of Mr. Penn in 1700 to the same point and limits of Nottingham grant The claim is made that the astronomical observations made by Charles Carroll with a quadrant were incorrect as the determination has been examined by Mr. Logan. Recites how the Pennsylvania Commissioners had agreed not to grant any land southward of the Octoraro line but that public surveys had been made, at least 30 miles north of this line. It also includes an account of the meeting between Governor Hart of Maryland and Keith of Pennsylvania at Colonel Hynson's house, 28 Oct. 1718.

1722.

Apr. 18. **Pennsylvania Council. Minutes.**

PUB. Pa. Col. Rec., v. 3, pp. 168-170.
Pa. Arch., ser. 4, v. 1, pp. 380-381.

ABST. Speech of Gov. Keith. Says he laid out 500 acres on west side of Susquehannah for himself April 4 & 5. Governor lays before board a commission to Jas. Pidgeon (in which he mentions agreement between himself and Governor of Maryland, dated 31. March, that no surveys should be made by any private person on west side of Susquehannah) empowering him to forbid all such surveys. Agents of the Proprietors say they ordered Jas. Steel to lay out lands beyond Susquehannah.

May 28. **Commitment of Phil. Syng.**

PUB. Pa. Col. Rec., v. 3, pp. 185-186.

ABST. Arrested for surveying by a Maryland right, land west of Susquehannah which Markham had surveyed for himself.

June 18. **Letter. Governor Keith to Council of Pennsylvania.**

PUB. Pa. Arch., ser. 1, v. 3, p. 179.
Pa. Col. Rec., v. 3, pp. 188-189.
Pa. Arch., ser. 2, v 1, p. 391.
Pa. Arch., ser. 4, v. 1, pp. 391-392.

ABST. Has suggested to Indians that they survey large tract to Penns opposite Conestoga before it is surveyed by Maryland license. Suggests extension of the Octoraro Line westward.

June 18. **Warrant for surveying the Manor of Springetsbury.**

PUB. Pa. Col. Rec., v. 3, pp. 194-195.
Cf. Pa. Arch., ser. 2, Prop. Manors.

ABST. Opposite mouth of Conestoga 10 miles W. S. W.; then N. N. W., 12 miles; then E. N. E. to corner of "Newbury" [Keith's new survey]; thence S. S. E. by lines of "Newbery" to Susquehannah and thence by river to beginning.

1722.

June 20. Letter. Pennsylvania Council to Governor Keith.

PUB. Pa. Col. Rec., v. 3, pp. 189-190.

ABST. Will take no position on survey of lands but think Octoraro line should not be run except with consent of Governor of Maryland.

June 23. Letter. Governor Keith to Governor Calvert.

PUB. Pa. Col. Rec., v. 3, pp. 193-194.
Pa. Arch., ser. 4, v. 1, pp. 395-397.

ABST. Says that at request of Indians he had laid off large tract of land on west side of Susquehannah for the Penns.

July 19. Letter. Philemon Lloyd to Charles, Lord Baltimore, asking for instruments to observe 40°.

MS. ORIG. Md. Hist. Soc., Calvert Papers, No. 1078.
PUB. Md. Hist. Soc., Fund Pub. No. 34, pp. 25-28.

ABST. Tells of events in Maryland and of his expected survey near Philadelphia.

Letter. Charles, Lord Baltimore to Philemon Lloyd.

MS. Md. Hist. Soc., Calvert Papers, No. 29.

ABST. States he is willing to have law suit with Pennsylvania.

July 30. Letter. Philemon Lloyd to [partners?]

PUB. Md. Hist. Soc., Fund Pub. No. 34, pp. 42-54.

ABST. A letter of personal explanations obscurely hinting at an attempt to get evidence regarding the settlement of Delaware under pretense of studying the boundaries of St. Augustine Manor. [Did this have to do with arrest of Van Bibber?]

Sept. 11. Letter. Phil. Lloyd to Lord Baltimore. 9 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1081.

ABST. Tells of his trip to Conestoge and offers to survey the Limits of Lord Baltimore's provinces on the north and west sides.

Oct. 8. Letter. Philemon Lloyd to Copartners.

PUB. Md. Hist. Soc., Fund Pub. No. 34, pp. 54-68.

ABST. Urging settlements on north and west of Susquehanna, as Pennsylvania will take all lands above Octoraro line unless something is done.

Nov. 5. Directions of Pa. Council respecting boundaries.

MS. COPY. Md. Council Proc., Liber X, pp. 79-85.
PUB. Md. Arch., v. 25, pp. 412-415.
Pa. Col. Rec., v. 3, pp. 223-226.

ABST. Deals with the Nottingham tract and also with arrest of Isaac Taylor and Elisha Gatchall.

1722/3.

Jan. 5. Maryland Council. Proceedings.

MS. ORIG. Md. Council Proc., Liber X, pp. 56-63.
PUB. Md. Arch., v. 25, p. 397-402.

ABST. Governor Charles Calvert acquaints the Council "with several Incroachments of Pennsylvania and particularly that Isaac Taylor and Elisha Gatchell had run out several Lines in this province and threatened Several persons . . . and likewise that very lately they had taken up Mr. Vanbebber the chief Iustice of Cecil County court for no other Offense real or pretended than for running out some lines in the wild forests, up and down the Branches of Appquinomick Creek in order to discover the true location of Saint Augustine's Manners Western Limit."

1722/3.

Mar. 2. Maryland Council. Proceedings.

MS. COPY. Md. Council Proc., Liber X, pp. 66-90.
PUB. Md. Arch., v. 25, pp. 403-418.

ABST. Includes several papers such as "A Plain View," meeting of Governors Hart and Keith at Col. Hynson's house, 28 Oct. 1718; order for the deposition of John Hall and Major Sewall; order for papers from Charles Carroll, instructions to Bennett and Nicholas Lowe; extract of proceedings of council held in Pennsylvania 5 Nov. 1722, opinion of Daniel Dulany regarding Isaac Taylor and Gatchall; order to examine witness against Taylor and Gatchell.

1723.

April 9. Letter. James Logan to Henry Goldney.

PUB. Pa. Arch., ser. 2, v. 7, pp. 70-73.

ABST. Sends account of Taylor and Gatchel arrests to be shown to Lord Baltimore and the King. Says Lloyd pushes all for his own interests.

July 29. Letter. Charles Calvert to Governor William Keith.

PUB. Pa. Arch., ser. 1, v. 3, p. 222.
Pa. Col. Rec., v. 3, p. 234.

ABST. "On Sept. 10-12 next will observe 40° on West side Susquehanna."

Aug. 1. Letter. Clement to Governor William Keith. 2 pp. ms. 12 mo. unsigned. Preliminary draft.

MS. Pa. Hist. Soc., Off. Corr., v., 1683-1727, p. 131.

ABST. Conference between Penn and Baltimore. Northern boundary discussed. Penns hold to "peninsula," Baltimore to 40°?. Planned observations on Susquehanna but Penns subsequently decline. Irregular temporary boundary between settlements suggested.

Aug. 3. Letter. Governor Keith to Governor Calvert.

PUB. Pa. Col. Rec., v. 3, pp. 235-236

ABST. If Maryland officials, with or without authority of Proprietors, attempt to make observation or run line North of Octoraro, it will be opposed. Asks for a conference.

Aug. 19. Letter. Governor Charles Calvert to Governor Keith

PUB. Pa. Col. Rec., v. 3, p. 237.

ABST. Says he plans to be at Bald Fryar on 9, September on his way to take observations.

Sept. 4. Letter. Governor William Keith to Governor Charles Calvert.

PUB. Pa. Arch., ser. 1, v. 3, p. 222.
Pa. Arch., ser. 4, v. 1, pp. 415-418.

ABST. Reply to notification as to proposed re-survey of 40th degree of latitude on west side of Susquehanna.

1723. Case of Isaac Taylor and Elisha Gatchell. Two officers of Pennsylvania made prisoners by the Government of Maryland. 2 p. f. printed at Phila. 1723.

Cf. Coleman Coll., Penn Papers, 1870, No. 437, Sabin, No. 59957.

1723/4.

Feb. 17. Agreement between Charles, Lord Baltimore and Hannah Penn; Joshua Gee and Henry Gouldney.

PUB. Pa. Arch., ser. 2, v. 7, pp. 349-350 (extract), ser. 2, v. 16, p. 28. (extract).
Pa. Col. Rec., v. 3, pp. 244-245.
Cf. Pa. Arch., ser. 2, v. 16, p. 440.

Feb. 25. Letter. Hannah Penn to Sir William Keith.

Cf. letter of 20 May 1724.

1724.

April 11. A case stated with opinions of Sir Clement Wearg.

PUB. Pa. Arch., ser. 2, v. 16, pp. 504-507.

ABST. Quotes charters of Pennsylvania and Maryland and gives opinion favorable to Penns.

May 23. A case stated with opinion by Sir Philip Yorke.

PUB. Pa. Arch., ser. 2, v. 16, pp. 504, 505, 506.

ABST. Same case and similar opinion.

May 5. Letter. Governor Keith to Governor Calvert.

PUB. Pa. Col. Rec., v. 3, p. 245. (See also pp. 232, 224).
Pa. Arch., ser. 4, v. 1, pp. 419-420.

ABST. Enclosing agreement of 1724.

May 15. Proclamation of agreement by Governor Keith of Pennsylvania.

PUB. Pa. Arch., ser. 1, v. 1, p. 320.
One leaf folio printed in Phila., 1724. Cf. Sabin No. 59730; Evans Am. bibl., v. 1, No. 2577.

ABST. Announces agreement between the Penns and Baltimore.

May 20. Letter. Hannah Penn to Sir William Keith. 4 pp. ms. fol.

MS. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, p. 147.
PUB. Printed in Phila., 1724, cf. Evans, Amer. Bibliog., v. 1, No. 2576.

ABST. In her last of 25 Feb. she inclosed agreement made with Lord Baltimore for quieting the people of both Provinces as to the borders. Gives instructions on several heads as to the government of the Province. States that "We have had lately a meeting with Lord Baltimore upon ye settling ye boundaries & though we cannot yet come to an agreement therein yet his Lordsp seems no less disposed than we are to Determine that dispute some way or other as soon as possible wch we hope may be done within the time agreed upon for a Mutual cessation." She directs that possible encroachments of Marylanders be prevented.

1725. The case of the three Lower Counties on Delaware, in America (claimed at this time by the Penn family) with respect to the property of the lands, and the government of the people. [London 1725?] broadside fol.

Cf. Puttick & Simpson, lib. of Wm. Penn, London, 1872, No. 892.

ABST. "This is a brief historical statement against the claims of the Penn family as to these Three counties."

1725. Report of Lord Commissioners of Trade and Plantations on memorial of William Penn to surrender all his powers of government for a consideration, etc. Harley to Attorney-General.

Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, p. 147.
MS. COPY. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, 1683-1727, p. 191.
Cf. Pa. Arch., ser. 2, v. 16, p. 440.

July 12. Letter. James Logan to Hannah Penn. 8 pp. ms.

MS. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, 1683-1727, pp. 194-195.

ABST. Urges that her son John is the fittest [to] "collect and digest into heads" all that has been done in her affairs and to concert measures to "end the dispute with Baltimore by an accommodation or to secure from the King and Council an injunction against violence or grants of land while the suit is pending." End your family dispute by able persons or otherwise accommodate it by an agreement. Cf. claims of ignorance and inexperience made by John Penn in Bill of 1735.

Nov. 18. Petition of Earl of Sunderland for a grant of the three Lower Counties on Delaware in America.

MS. COPY. N. Y. State Records.
Pa. Hist. Soc., Penn MSS.

ABST. Asked on account of alleged inefficiency of Penn's government. [Same as Oct. 21, 1717?].

1725/6.

Jan. 6. **Appointment to meet at the Attorney General's Chambers in Lincoln's Inn to consider Petitions of the Earl of Sutherland praying for a grant of land "lying upon Delaware Bay."**

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 286.

Feb. 1. **Letter. James Logan to Hannah Penn. 4 pp. ms. Endorsed "Rec'd 3rd May, 1726, p. J. Penn."**

Ms. Orig. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, p. 185.

Abst. Because no mention of the Proprietor [Penn] was made in the charter, to the city of Newcastle, the people thought the three lower counties belonged solely to the King. A dispute arose whether the Chester-Newcastle boundary should be the Circular Line run in 1701 or 12 miles measured by the new 5 mile limits of the town "which would take in a ring of 5 miles more out of the Province and throw even the Town of Chester into Newcastle County" . . . Desires on account of failing health to retire but adds "If any Lines however are to be run on the Settlement with Maryland you may I hope depend on my assistance." [Note Logan's activity several years later].

Mar. 15. **Address from the Lower Counties to the King [never presented].**

Ms. Pa. Hist. Soc., Penn MSS. Copy made 1726.

Abst. Asked that no change be made in their condition on account of doubt in title or application for grants.

Mar. 22. **Letter. Charles Lowe to Phil. Lloyd. 5 pp. fol.**

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 1083.

Abst. Regards title of Penns to Three Lower Counties as invalid. Asks that evidences be looked up to prove possession and jurisdiction by Lord Baltimore.

1726.

Apr. 17. **Letter. James Logan to John Penn. 4 pp.**

Ms. Copy. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, 1683-1727, p. 217.

Abst. Referring to Lord Sutherland's application for the lower counties, reviews the Duke of York's grants to Penn and wherein they are deficient. The Duke had no sufficient title himself from the King to any land on the West side of the Delaware. "Thy father therefore was at ye charge of a Patent from the King to his brother for all these counties from which he was further to confirm them to thy father but King Charles dying before this could be effected a patent was ordered and finished for the great seal where it stopped . . . . . But on these titles all the lands of those counties that were of value have been taken up . . . by people . . . with no other scruple than the lands in another part of the King's domion in America . . . One great point to be labored with is the inequality of the thing in admitting any overhawl of such ancient original settlements in a new country in order to gratify the avarice of a courtier."

Oct. 17. **Letter. James Logan to John Penn. 18 pp. ms. (2 postscripts) 2 pp. blank. O.**

Ms. Orig. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, 1683-1727, p. 217.

Abst. Had hoped that by this time everything desired that could be procured "in this suit" [with Baltimore] would have been furnished. . . . Reports that investigation of Mr. Steel in Virginia show Smith's map was the plan from which the Maryland Charter was drawn. Includes certified copies of various documents and explains why others cannot be found at Va. and Newcastle. "In your dispute with Ld. Baltimore you know your strength lies wholly on word Bay or Ostuarium the peninsula and therefore on . . . . . and the old maps and some ? on ye Ld Baltimore's own land. [book and map?] But Capt Smith's map Jointly with the Ld Baltemore own in Sr H. Sloan's book or without it will be of vast importance . . . . . In this that was described in ye patent from Smith's map on all whch if sufficiently explained may be of vast advantage to you. And from ye same map though Delaware is not laid down in it yet those 6 pirchs to ye Eastward wch represent the sea or water bent in Westward to ye Head of Chesapeake Bay to make an Isthmus there and therefore to be regarded so far as it can affect you. Any difficulty is that this map layes the 40th degree about 6 miles above ye Heed of ye Bay whereas

1726.

Ld Baltimore in his book makes them exactly coincide. But a strong [inference] from hence that the Ld Balt. was sensible he was by intention of the grant bound up to the Peninsula and therefore brought the latitude to ye very head of the Bay . . . . . truly lie about 5 or 6 miles up the river Susquehannah from the mouth of it . . ."

Oct. 28. Letter. James Logan to John Penn Esq. To be left at ye Pensilvania Cofee House, in Bircher Lane, London. 1 p. ms.

MS. ORIG. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, 1683-1727, p. 251.

ABST. Last week he sent in a small Dale [deal wood?] box a collection of papers. Has since had a conference with D. Lloyd and he assures him that about the time of the Revolution he received a letter from Phil. Ford [Penn's Agt] stating "that a patent from King James to thy father or the lower counties has been finished for the seal which would have been passed had not that turn of affairs prevented it. And he can't believe (he says) but it may still be found either in the Hanaper or Inrollmt office," cf. Pa. Arch., ser. 2, v. 16.

Dec. 12. Letter. James Logan to John Penn. 8 pp. ms.

MS. ORIG. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, 1683-1727, p. 233. Last 4 pp. will be found on p. 255.

ABST. Outlines work done in getting evidence from old records. If Baltimore when defeated in the matter of the title to the Lower counties "pleads hardship of the disappointment as a merit entitling him at least to all his grant will give him besides outside the Lower counties that is to come up to the true 40 degree and here you will certainly have a nice point to manage on that very consideration I have mentioned. Yet this must be seriously labored with for should he gain that point you will lose a very great part of the settlement of Chester County and everything that is valuable on Sasquehannah. Therefore since you are in possession I can think of no other way than to make him some benefit allowance in Patowmeck."

1727.

July 10. Letter. James Logan to John Penn. 4 pp. ms. 1 postscript. 1 p. blank.

MS. ORIG. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, 1683-1727, p. 283.

ABST. All possible endeavors were used at New York to procure the act of settlement or body of laws passed by the Duke of York, but they are not to be found either in the Secretary's office where all other records are kept or in any other hands which very much surprised me. I am persuaded thy father had them but they were not left here. He left no papers at Pensbury and but very few with me. What he did leave were all very carefully preserved. They had them [Duke of York's laws] once at Newcastle but a good many of their old records are lost, . . .

Sept. 23. Letter. James Logan to John Penn. 1 p. ms.

MS. ORIG. Pa. Hist. Soc., Penn MSS. Off. Corr., v. 1, 1683-1727, p. 287.

ABST. Herewith comes an affadavit which I believe will effectually clear up that point of distance between the heads of the Bays and that of Delaware and Susquehannah in the Latitude of Phila. Yet not being fully drawn to my mind or in a method so intelligible to your lawyers who in such matters are almost impenetrable.

Oct. 31. Proclamation. Maryland Council Proceedings.

MS. ORIG. Md. Council Proc., Liber X, pp. 195-196.

PUB. Md. Arch., v. 25, pp. 488-489.

ABST. Charging sheriffs to aid Marylanders in repelling encroachments and to seize all such aggressors as are found encroaching, who are to be dealt with according to law. Issued to all the counties on the Eastern Shore, Prince George's and Baltimore.

Dec. 6. Letter. James Logan to John Penn. 3 pp. ms. 1 blank. Postscript dated Philadia 9 Apr. 1728 and signed by J. Logan.

ABST. Calls attention to his proposal from Deal [Delaware] of a large allowance on Patowmeck to the Lord Baltimore that you may keep Nottingham. That river is of great value to him whether it may prove so to you if you had it is doubtful.

1728.
Nov. 11. Letter. Proprietaries to James Logan.

PUB. Pa. Arch., ser. 2, v. 7, pp. 110-112.
ABST. Advise the discouragement of settling on lands towards Maryland.

1728/9.
Jan. 30. Instructions. Charles, Lord Baltimore to his agent Matthew Tilghman Ward.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 293½, pp. 12, 13.
ABST. "You are to allow my Land-Warrants to such people who apply or are residing in, or have possessions in that part which is now in dispute between me and the Pennsylvanians."

1729. Letter. Proprietaries to James Logan.

PUB. Pa. Arch., ser. 2, v. 7, pp. 129-137.
ABST. Thinks boundaries must wait till their father's debts are paid.

1729.
Oct. 26. Letter. Governor Benedict Leonard Calvert to Charles, Lord Baltimore.

MS. ORIG. Md. Hist. Soc., Calvert Papers, No. 1087.
PUB. Md. Hist. Soc., Fund Pub. No. 34, pp. 68-81.
Md. Arch., v. 25, pp. 601-610.
ABST. Mentions many papers left with Attorney General after last hearing [during Charles' minority] regarding three Lower Counties.

1731. MAP. Jonas Silfverlong. Delineatis Pennsylvaniae at Caesereae Nov. Occidebt seu West NIersey in America. Jonas Silfverlong, Sculp. Up [sala?] 1731/2. Engraved, Scala Millianas Angle 1 in 200 mi.

(Pa. Hist. Soc. Of., 504.)
Note. Includes Lat. 30°-44° (old Cape Henlopen to above L. I. Sd.) and west of Potomac. Shown dotted curving line between Sussex, Kent and the Caecil Cm.

July 1. Petition. Charles, Lord Baltimore to King George II.

PUB. Pa. Arch., ser. 2, v. 16, p. 30 (extract); p. 445.
ABST. Asks that proprietors of Pennsylvania be ordered to join with him in settling and ascertaining the boundaries.

THE AGREEMENT OF 1722.

July 1. Order of Council.

Cf. Pa. Arch., ser. 2, v. 16, p. 30; p. 445.
ABST. Referring petition to Committee on Appeals and Complaints. Subsequently referred to Committee for Trade and Plantations.

July 25. Paper of proposal made by Lord Baltimore to Penns.

PUB. Pa. Arch., ser. 2, v. 16, pp. 33-34; 446-447.
ABST. Gives outline of proposed agreement.

1731/2.
Jan. 10. Letter. Governor Ogle to Lord Baltimore.

MS. ORIG. Md. Hist. Soc., Calvert Papers, No. 1088.
PUB. Md. Hist. Soc., Fund Pub. No. 34, pp. 31-84.
ABST. Fears tangent line "will cut some of the Rivers of the Bay, particularly Sassafras River, and that the very circle will cut the head of Elk River." Suggests a clause be inserted in Agreement to prevent this if it is not already signed.

Jan. 29. Deposition of Thomas Cresap.

PUB. Pa. Arch., ser. 1, v. 1, pp. 311-312.
ABST. Gives an account of him by Beddock and Morgan in their capture of Chance, Cresap then 28 years old.

1731/2.
Feb. 2. Letter. Governor Ogle to Governor Gordon.

PUB. Pa. Arch., ser. 1, v. 1, p. 313.

ABST. Incloses deposition of Cresap and complains of treatment and referring to bribe offered Indians to burn Cresap's house.

Feb. 21. Letter. Governor Gordon to Governor Ogle.

PUB. Pa. Arch., ser. 1, v. 1, pp. 313-315.

ABST. Argues that Cresap was not in Maryland and that his deposition is not to be credited.

1732? Governor Ogle's observations on the demands of the Penns. 4 pp. large fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, 330-333.

ABST. Summarizes many points likely to arise and suggests lines of argument against them.

Mar. 29. Memorandum of Modification of Agreement proposed by Lord Baltimore.

Cf. Pa. Arch., ser. 2, v. 16, p. 448.

1732. Case of John Penn, Thomas and Richard Penn Esqrs., relative to their Right to the Counties of Newcastle, Kent and Sussex on Delaware. MS. 2 p. fol.

MS. COPY. Del. Hist. Soc., Douglas Papers.

Note. Filed in Land Office of Pa. and transf. by act of 19 Feby. 1801 to Hon. Sam'l White Del. Agent. Attestation of Tench Coxe Secy. Pa. Apparently a legal brief.

1732. Difficulties that the Proprietary Affairs of the Province of Pensilvania at present lie under which crave a speedy Redress. 2 p. fol. Mss.

MS. COPY. Del. Hist. Soc., Douglas Papers.
Land Off. Pa.

Note. Attested. "I certify that the foregoing is a true copy of an original paper remaining on file in this office." Signed at Lancaster 20 May 1800 by Tench Coxe.

Apr. 18. Letter. Governor P. Gordon to Governor Ogle.

PUB. Pa. Arch., ser. 1, v. 1, pp. 321-324.

ABST. Referring to the Cresap affair. Is obliged for the notice of agreement between their several proprietors, but wishes he could know the terms of agreement. Hears a rumor from Maryland that Lord Baltimore had quitted his old claim to the lower counties and also to some part of Cecil council [county], for which he is to have compensation beyond the Suquehanna.....

Apr. Opinion of Mr. Senex on the Articles of Agreement.

Cf. Pa. Arch., ser. 2, v. 16, pp. 448-449, 567.

1732. Letter. Samuel Blunston to Governor Gordon.

PUB. Pa. Arch., ser. 1, v. 1, pp. 316-320.

ABST. Deals with Cresap and Higgenbotham troubles. Criticises the orders which he has received.

May 7. Letter. Governor Ogle to Governor Gordon.

PUB. Pa. Arch., ser. 1, v. 1, pp. 326-327.

ABST. Refers to Cresap. Answered June 15.

1732.

May 10. Articles of Agreement Indented made and concluded upon this 10th Day of May in the 5th Year of the Reign of our Soverign Lord George the 2nd by the Grace of God of Great Britain, France and Ireland King Defender of the Faith, etc. Annoque Doni 1732 Between the Rt. Honble Charles Lord Baron of Baltimore in the Kingdom of Ireland true and absolute and Proprietor of the Province of Maryland and Avalon, etc. of the one part and John Penn, Thos. Penn and Richard Penn, Esq. Sons and Devisees under the will of Wm. Penn Esq. the Elder their late Father true and absolute Proprietors of the Province of Pennsylvania etc. of the other Part in manner and form following that is to say:

Ms. Copy. Md. Hist. Soc., Calvert Papers, Nos. 298-299.
Md. Hist. Soc., Calvert Papers, No. 299. Annotated in contemporaneous writing.
Pub. Rept. Secy. Int. Aff. Boundaries, 1887, pp. 10-17.
Pa. Arch., ser. 2, v. 16, pp. 36-40 (abstract)
Pa. Arch., ser. 2, v. 16, pp. 449-460 (complete).
Also published by Franklin in 1733 and 1736.
Pub. Ptd. by B. Franklin, 1st edit., Phila., 1733, 19 pp. fol. (Ridgway lib., Phila.; Lib. Cong.; Williams Coll. Lib.; Pa. Hist. Soc., Md. Hist. Soc., cf. Sabin, Nos. 45073, 59896, 60743.) Another edition printed 1735, cf. also Holmes, Annals of Amer., 1829, p. 554.
Note. Original executed in London as were also the Commissions. Governor Ogle was then in London but returned quickly to Maryland. See letter of Thos. Penn of Aug. 19.

May 10. Map annexed to the agreement between Lord Baltimore and Messrs. Penns.

Ms. Orig. Md. Hist. Soc., Calvert Papers, No. 226.
Ms. Copy. Md. Hist. Soc., Calvert Papers, No 1042.
Calvert Papers, 1036-1037. Wood cut.
See also Calvert Papers, No 1040-1041.
Repr. in Pa. Arch., ser. 1, v. 4, front.
Hall, The Lords Baltimore.
A plain wood cut, a colored wood cut, a copper-plate print and Ms. copies on parchment are in Md. Hist. Soc., copy also in Md. Land Office, copy in Lib. Cong. was used for Articles of 1738.
Note. The map usually attached to the duplicate Ms. copies of the agreement are wood cuts. Cf. Pa. Arch., ser. 2, v. 16. p. 444.
The map shows roughly all the lines as finally run, at least to western limit of Md. For detailed account of the making of this map see Pa. Arch., ser. 2, v. 16, pp. 560-576. See also editions of 1735, 1736 and 1738.

May 10. Commission. Charles, Lord Baltimore, to Samuel Ogle, Esq., the Hon. Charles Calvert, Esq., Philemon Lloyd, Esq., Michael Howard, Esq., Richard Bennet, Esq., Benjamin Tasker, Esq., and Matthew Tilghman Ward, Esq".

Same text as next entry, cf. Ms. note in printed "Articles of Agreement" Ridgway Lib., Phila.

May 13. Commission. Pennsylvania, Province, Proprietaries [John Penn, Thomas Penn and Richard Penn]. Recounting the nine articles of agreement between the proprietors of Pennsylvania and Maryland of May 10, 1732 and appointing Patrick Gordon, Isaac Norris, Samuel Preston, James Logan, Andrew Hamilton, James Steele and Robert Charles commissioners for laying out the said lines and providing that in case of death, sickness or absence of any one of them the said Patrick Gordon shall appoint new commissioners in the place of such absent com-

1732.

missioners. Sealed and delivered in the presence of Abraham Taylor, John Georges, John Shewbart.

MS. ORIG. Del. Secy. State Off.
MS. COPY. Pa. Hist. Soc., Penn MSS. Boundaries, p. 29, cf. No. 334, Coleman Cat., Penn Papers.
PUB. Huffington, Annals of Del., p. 260.
Cf. Pa. Arch., ser. 2, v. 16, p. 461.

Note. Lines, including circular boundary, to be marked with crown stones before Dec. 25, 1733.

May 13. Same original rough draft interlineated, 12 sheet parchment 29x34 in., seal of Penn's. Ms. map annexed, 10x15 in. Showing (in red) lines to be run.

Del. Hist. Soc., Douglas Papers.
Cf. also Allen, Cat. Penn Papers, 1870.
Cf. Penn vs. Baltimore, breviate, testimony of F. J. Paris [Liber A, fol. 195, Int. 22, fol. 288].
PUB. Pa. Arch., ser. 2, v. 16, p. 576.

ABST. Describes in detail the incidents connected with the preparation of the Commissions to show that the same were seen by Baltimore and his solicitors and were acceptable to them at that time.

June 15. Letter. Governor Gordon to Governor Ogle.

PUB. Pa. Arch., ser. 1, v. 1, pp. 330-331.

ABST. Is pleased to learn of prospective settlement of the dispute but does not know the terms of the agreement. Understands that they will show Cresap's house to be 28 miles in Pennsylvania. Objects to activity of Maryland and thinks new agreement will not apply to settlements made since 1724.

July 10. Letter. Governor Ogle to Governor Gordon.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 28.
PUB. Pa. Arch., ser. 1, v. 1, pp. 336-337.

ABST. As neither of them intend anything but what is fair and reasonable for their proprietors, he will recount all that he has done. Hopes that the reports may be true that his proprietor, in compensation for the three lower counties and part of Cecil county, was to have so much to the northward that Cresap might probably be in Maryland and that the line to divide the two provinces was only to run west as far as the Susquehanna, but on the west side of Maryland was to run up to 40 of latitude.....

July 26. Letter. Governor Gordon to Governor Ogle.

PUB. Pa. Arch., ser. 1, v. 1, pp. 337-340.

ABST. In reply to his of the 10th instant by Mr. Chew is glad to have a perfect understanding between the neighboring provinces. To discuss the disputes between their proprietors would be needless and from his [Ogle's] letter of the 6th instant believes that the disputes is at an end. It suffices to say that the Penn proprietors have claimed below or to the southward of the 40th degree of latitude and Baltimore having caused the line to be run about 1682 eastward from the mouth of Octoraro made that the bounds of his claim.

Aug. 18. Letter. Phil. Lloyd to Lord Baltimore. 3 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1090.

ABST. Discusses Baltimore's agreement with Penn, the history of Baltimore's claims and the true position of Cape Henlopen. Advises Baltimore to claim Delaware lands to 40°

Aug. 19. Letter. Governor Gordon to Governor Ogle.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 28, No. 2.
PUB. Pa. Arch., ser. 1, v. 1, p. 341.

ABST. Sends copy of Agreement and asks convenient date for meeting of commissioners, suggesting Newcastle as a convenient place.

1732.

Aug. 19. Letter. Thomas Penn to Lt. Gov. Samuel Ogle.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 28.

ABST. Sends package including copy of Agreement to Gov. Ogle for Lord Baltimore and hopes no time will be lost in expediting the affairs.

Aug. 23. Letter. Governor Ogle to Governor Gordon.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 28. No. 4. "Copys of Several Letters & Papers relating to the running Division Lines. . . ."

PUB. Pa. Arch., ser. 1, v. 1, p. 342.

ABST. Has received his letter by Mr. Georges and is glad to join in measures for speedily discharging the business. As it is inconvenient to come to Newcastle, asks that a nearer place be selected; but as he does not think of the proper place, leaves the matter to Mr. Georges [Pennsylvania's proprietary secretary].

Aug. 23. Letter. Governor Ogle to Mr. [Thomas] Penn.

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 28.

ABST. Acknowledges his letter, together with the agreement. Will do everything in his power to settle all the affairs as soon as possible, to which end has written to the [Penn's] Lieut. Governor [Gordon] that no time may be lost in fixing a convenient place to meet in and to agree about the time which he proposes as the first week in Oct.

Aug. 30. Letter. Governor Gordon to Governor Ogle.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 28.
PUB. Pa. Arch., ser. 1. v. 1, p. 343.

ABST. Newton [Chestertown] is proposed as a meeting place. Has no objection to this but it would save him much traveling if the meeting could be on the 18th instead of the first week in October as proposed.

Sept. 4. Letter. Governor Ogle to Governor Gordon.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 28.
PUB. Pa. Arch., ser. 1, v. 1, pp. 343-344.

ABST. Wishes it were in his power to meet sooner than the time proposed—the first week in October—especially as it would agree with Governor Gordon's convenience, but as it is better not to proceed until the business is in every way ready believes it will answer the intentions to keep the time proposed—the first Friday in October.

Sept. 13. Letter. Governor Gordon to Governor Calvert.

PUB. Pa. Arch., ser. 1, v. 1, pp. 289-292.

ABST. Deals with border troubles between David Wherry and Robert Holly regarding land in Cecil County and of others regarding Kent County lands.

Sept. 14 Letter. Governor Gordon to Governor Ogle.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 28.
PUB. Pa. Arch., ser. 1, v. 1, pp. 347-348.

ABST. Has received his letter of the 4th and agrees to meet at Newton on the 6th of next October.

Sept. 19. Letter. Governor Benjamin Leonard Calvert to Governor Gordon.

PUB. Pa. Arch., ser. 1, v. 1, pp 292-294.

ABST. Objects to the curt methods used by Pennsylvania authorities and cites facts regarding his side of trouble.

Sept. 31. Pennsylvania Council. Minutes.

PUB. Pa. Col. Rec., v. 3, p. 496.
Pa. Rept. Secy. Int. Aff. "Boundaries." 1887, pp. 1-2.

ABST. Agreement announced and pleasure expressed at early settlement of dispute.

1732.

Oct. 3. Letter. Samuel Blunston to Robert Charles.

PUB. Pa. Arch., ser. 1, v. 1.

ABST. Refers to complaint of Indians against settlement west of Susquehanna by Cresap and others. Shows that Logan and he were waiting for a pretext to take Cresap.

Oct. 6. Proceedings of the Commissioners appointed by the Right Honourable the Lord Proprietary of Maryland and the Proprietaries of Pensilvania for running the Lines and Bounds of their provinces. Oct. 6-Nov. 23.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 302, 80 pp. fol. used in chancery suit.

See also Pa. Hist. Soc., Penn MSS. "Boundaries."

Cf. Pa. Arch., ser. 2, v. 16, pp. 165-216; pp. 463-468: pp. 44-66 (extract).

Note. The published record, based on the Penns copy differs in minor details from the copy in the Calvert papers and stops at p. 72 of the latter.

Note. Summarized in full in the "Written evidence proved in records" in Pa. Arch., ser. 2, v. 16, pp. 462-482. Summarized in brief in Pa. Arch., ser. 2, v. 16, pp. 136-146.

Deposition of James Logan regarding the very strange Way of granting Out Lands by the Maryland Officers.

PUB. Pa. Arch., ser. 2, v. 16, p. 556.

ABST. Mentions surveys about 1716 as far North as Philadelphia and that Gov. Ogle in October 30, 1732 insisted that warrants issued by Maryland prior to the actual running of a division line made such surveys part of Maryland.

Oct. Preston, Samuel. Deposition concerning conversation with Governor Ogle regarding allegiance of those seated by Maryland grants in Pennsylvania territory.

Pa. Arch., ser. 2, v. 16, p. 557.

Oct. James Steel. Deposition relating to a conversation between the Commissioners of 1732 to run the boundary line, in regard to Maryland Warrants, and essentially tne same answer of Governor Ogle as narrated by the previous Deponent [Samuel Preston].

PUB. Pa. Arch., ser. 2, v. 16, p. 557.

MAP. Newcastle. Drawn by Arnoldus de la Grange of Newcastle.

Produced by John Hoare Newcastle from office of surveyor and used for finding center of Circle Oct. 31, 1732.

See description in Breviate Pa. Arch., ser. 2, v. 16, p. 639.

Dec. 13. John Low. Deposition regarding his arrest by the constable of Lancaster County.

PUB. Pa. Arch., ser. 1, v. 1, pp. 350-351.

Thomas Cresap. Deposition regarding the arrest of John Lowe.

PUB. Pa. Arch., ser. 1, v. 1, p. 352.

Dec. 15. Letter. Lord Baltimore to Governor Gordon.

PUB. Pa. Col. Rec., v. 3, p. 302.

ABST. Complains of rioting in Maryland by Lancaster County people.

Dec. 23. Letter. Governor Gordon to Lord Baltimore.

PUB. Pa. Col. Rec., v 3, pp. 503-504.
Pa. Arch., ser. 4, v. 1, pp. 498-499.

ABST. Acknowledges letter of 15th and says he is trying to find out about the matter.

1732.

Dec. 25. Letter. Governor Gordon to S. Blunston.

PUB. Pa. Arch., ser. 1, v. 1, p. 353.

ABST. Asking detailed information of Lowe's arrest and character. This is followed by several depositions which were taken in response to the letter.

Dec. 29. Tobias Hendricks. Deposition.

PUB. Pa. Arch., ser. 1, v. 1, p. 362.
See also Pa. Colonial Rec., v. 3, p. 506.

ABST. Deposes that he has seen the marked trees near the west end of the west line run from Philadelphia to Susquehanna by Benjamin Chambers and believes that the lands now in the possession of John Low and Thomas Cresap lie, at least, six miles northward of the said line. . . . Attested by John Wright and S. A. Blunston, at Hempfield, County of Lancaster. Endorsed: "Affi., Tobias Hendricks, Esq." This is one of several depositions taken at the same time.

1732/3.

Jan. 9. Letter. John Wright and S. Blunston to Governor Gordon.

PUB. Pa. Col. Rec., v. 3, pp. 504-506.
Pa. Arch., ser. 1, v. 1, pp. 363-365.

ABST. Says they were obliged to make arrests on account of behavior of Cresap and his company.

Jan. 9. Letter. Governor Gordon to Justices of Kent County.

PUB. Pa. Arch., ser. 4, v. 1, pp. 499-501.

ABST. Asks for particulars regarding troubles along east line and cautions officers to avoid broils with Lord Baltimore's tenants.

Jan. 11. Letter. Governor Gordon to Lord Baltimore.

PUB. Pa. Arch., ser. 4, v. 1, pp. 501-506.

ABST. Claims that the Pennsylvania officers were within their rights at Lowe's place on Susquehanna.

Jan. 15. Letter. Governor Gordon to Lord Baltimore.

PUB. Pa. Col. Rec., v. 3, pp. 510-514.

ABST. Says that after looking into the case he cannot give up the "rioters" as they were doing their duty in their own jurisdiction.

Jan. 24. Letter. Lord Baltimore to Governor Gordon.

PUB. Pa. Col. Rec., v. 3, pp. 514-515.

ABST. Encloses depositions and again asks delivery of persons requested.

Feb. 1. Letter. Governor Ogle to Governor Gordon.

PUB. Pa. Col. Rec., v. 3, p. 515.

ABST. Says Baltimore thinks that Gordon's arguments are weak and that they do not rest on the agreement of 1732.

Feb. 3. Pennsylvania Commissioners. [Partial Copy of their Minutes of Meetings].

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 31, pp. 47-50, 4 p. fol.

Cf. Pa. Arch., ser. 2, v. 16, pp. 468-476.

Feb. 3. Pennsylvania Commissioners. Proceedings at Newcastle.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 32, No. 188, Coleman, Cat. Penn Papers. Attested copy made 20 Oct., 1740.

ABST. Report on reasons for failure to run the circle about Newcastle, particularly the objections of the Pennsylvania commissioners.

Note. See 1734, letters of Govs. Gordon and Ogle as to a later mission of Georges and Hamilton.

1732/3.
Feb. 3. Letter. Pennsylvania Commissioners to Hon. Sam'l Ogle, Esqr.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 19. Attested copy made 20 Oct. 1740.
Cf. No. 92, Supp., Coleman, Cat. Penn Papers.

ABST. Since he has declined meeting them at the courthouse they will wait until the 5th inst. to meet there and proceed jointly with the execution of their commission [to mark the boundary].

Feb. 15. Letter. Charles, Lord Baltimore to Governor Patrick Gordon.

MS. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 24. See also Pa. Arch., ser. 1, v. 1; ser. 2, v. 16, p. 56.
PUB. Pa. Col. Rec., v. 3, pp. 521-523.
Scharf, Hist. Md. p. 396.

ABST. Refers to recent border riot and care taken to have his commissioners meet those of Penna. at Newcastle on the 1st inst. Charges the latter with dilatoriness and relates all of the circumstances connected with their failures to perform their duties at subsequent meetings of the commission. Finally sets a meeting at Joppa, in Maryland, because his commissioners have already twice met at Newcastle, "but also by reason of a behaviour of your commsn to some of mine in Newcastle." Copy 4, pp. F. [Received before the following was sent.]

Feb. 17. Letter. Governor Gordon to Governor Ogle.

PUB. Pa. Col. Rec., v. 3, p. 518.
Pa. Arch., ser. 4, v. 1, pp. 509-513.

ABST. Says he did what was right in the premises and they are trying to misconstrue his actions. Holds agreement of 1724 continues in force in spite of term clause. Refers back to Octoraro line as acknowledged limit of Maryland.

Feb. 17. Letter. Governor Gordon to Lord Baltimore.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1091.
PUB. Pa. Col. Rec., v. 3, pp. 516-518.
Pa. Arch., ser. 4, v. 1, pp. 506-509.

ABST. Says he is justified in his action and that the commissioners ought to meet.

Feb. 22. Letter. Governor Gordon to Lord Baltimore.

PUB. Pa. Col. Rec., v. 3, pp. 523-525.
Pa. Arch., ser. 4, v. 1, pp. 514-517.

ABST. Admits errors of some of the borderers in Kent County (Del.), but says that this is unusual.

Feb. 26. Letter. Governor Gordon to Justices of Kent County.

PUB. Pa. Arch., ser. 4, v. 1, pp. 517-519.

ABST. Refers conflicting evidence regarding trouble along the border and orders the justices to act with those of Maryland, or alone, in taking evidence, and to arrest the accused pending action.

Feb. 28. Case stated with opinion of J. Willes.

PUB. Pa. Arch., ser. 2, v. 16, pp. 504, 507-508.

ABST. Quotes terms of charters of Maryland and Pennsylvania and gives opinion favorable to Penns.

Mar. 8. Letter. Governor Ogle to Rev. Hugh Jones.

Pa. Arch., ser. 2, v. 16, p. 477.

ABST. Refers to controversy and proposed leniency of Lord Baltimore to inhabitants of three Lower Counties.

Mar. 21. Proclamation. Maryland. Proprietor.

PUB. Pa. Arch., ser. 2, v. 16, p. 478

ABST. Ordering all holding land in Maryland under titles from other than Lord Baltimore to take out new patents. Both acts were claimed by the Penns to be unfair.

1733.

Mar. 28. Letter. Governor Patrick Gordon to Lord Baltimore.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," pp. 25-26.
PUB. Pa. Arch., ser. 4, v. 1, pp. 522-530.
See also Pa. Arch., ser. 1, v. 1.
ABST. In regard to border troubles and especially in answer to His Lordship's charges relating to the conduct of the Pennsylvania commissioners at Newcastle, with a complete version of all the circumstances of the meetings from the Pennsylvania point of view.

Mar. 28. Letter. Pennsylvania Commissioners to Maryland Commissioners.

PUB. Pa. Arch., ser. 2, v. 16, pp. 177-178: pp. 478-479.
ABST. Review break at Newcastle on Feby. 3d and suggest a meeting on April 16.

April 3. Letter. Maryland Commissioners to Pennsylvania Commissioners.

PUB. Pa. Arch., ser. 2, v. 16, p. 178.
ABST. Refers to letter of Lord Baltimore, Febry. 15, 1732/3.

May 8. Pennsylvania-Maryland Commissioners. Joppa, Md. Proceedings.

MS. COPY. Pa. Hist. Soc. Attested.
ABST. Pa. Arch., ser. 2, v. 16, pp. 179-183; pp. 479-480.

May 16. Letter. James Logan to Thomas Penn.

PUB. Pa. Arch., ser. 2, v. 7, pp. 140-142.
ABST. Letter on the Maryland affair in which he suggests that Penn visit the outlying settlements and also send a deputation to Annapolis to force an answer from Gov. Ogle.

May 25. Letter. Maryland Commissioners to Pennsylvania Commissioners.

PUB. Pa. Arch., ser. 2, v. 16, p. 183.
ABST. Give notice of meeting on 26th.

May 26. Agreement between Commissioners.

PUB. Pa. Arch., ser. 2, v. 16, pp. 183-184.
ABST. Agree to postpone meetings until Sept. 3rd.

Aug. 19. Letter. Governor Gordon to Justices of Chester abount boundary.

PUB. In Mowbert, History Lancaster Co., p. 138, 139.

Sept. 4. Proceedings of Meeting at Newcastle.

MS. COPY. Pa. Hist. Soc., Orig. sigs. of Md. and Pa. Comsrs., 3 p. fol., attested. Cf. No. 83, Supp., Coleman Cat. Penn Papers.

Sept. 6. Pennsylvania-Maryland Commissioners, Newcastle. "Copies of several papers exchanged at Newcastle by the Commissioners of Penna. and Md."

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 34, attested, Phila., 1740.
PUB. Pa. Arch., ser. 2, v. 16, pp. 185-194.

Sept. 10. Benjamin Eastburn. Letter and answers to the questions concerning the circle of 12 miles about Newcastle addressed "To Hugh Jones and William Rumsey, of the Province of Maryland, Mathematicians." Including one answer from Benjamin Eastburn. 8 p. F. MSS. Once part of breviate.

MS. ORIG. Del. Hist. Soc. Donated by Maj. T. R. Brinkle, a relative of Ramsay.

1733.

Nov. 1. Letter. James Logan to Thomas Penn.

PUB. Pa. Arch., ser. 2, v. 7, p. 149.

ABST. Suggests that Commission and Thomas Penn have a conference before the Meeting of the Commission at Newcastle.

Nov. 17. Pennsylvania Commissioners, Newcastle. [Communication] To the Commissioners appointed on the part of Maryland for running, marking and laying out the lines....auto signed. 4 pp. fol.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 38, attested, Phila., 1740.

Nov. 17. Pennsylvania-Maryland Commissioners. Minutes. Sept. 6-Nov. 17, 10 pp. fol.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," pp. 36-37.
Perhaps Allen, Cat. Penn Papers, 1870, No. 35.
Coleman, Cat. Penn Papers, supp., No. 99.

ABST. Minutes of proceedings and communications exchanged between the Maryland and Pennsylvania commissioners at Newcastle meeting. Cf. Pa. Arch., ser. 2, v. 16, pp. 481-482.

Nov. 19. Maryland Commissioners. "To the Comsrs appointed on the part of Pensylvania for running, marking and laying out the lines, limits or bounds between the Province of Md. and the Province of Pensylvania, &c." Auto signed. 16 pp. F.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 39. Attested 20 Oct. 1740.

Nov. 20. Pennsylvania Commissioners. To the Commissioners of Maryland appointed on the part of Maryland for running, marking and laying out the limits. 10 pp. f.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 35. Attested 20 Oct. 1740.

Note. Delivered next day.

Nov. 22. Maryland Commissioners, Newcastle. Proceedings of meeting. 3 pp. F. Signatures of Maryland commissioners only. Attestation of Phila. commissioners to examine witnesses.

MS. Md. Hist. Soc., Calvert Papers, Nos. 302, 303.
Pa. Hist. Soc., Penn MSS. "Boundaries."

Note. Probably also Lenox Lib., Emmet MSS., No. 14503, attested before judges of Pa. Supreme Court for Penn-Baltimore suit but not for that court as the Emmet Calendar states.

Nov. 23. Pennsylvania Commissioners. "To the commissioners appointed on the part of Maryland." Auto signed. 4 pp. f.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 40. Attested 20 Oct. 1740.

Nov. 23. Copys of Several Papers exchanged and delivered between commissioners appointed for executing the articles of Agreement between the Proprietarys of Maryland and Pennsylvania. Exhibit No. 8. 24 pp. large fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 303.

Dec. 21. Letter. James Logan to Thomas Penn.

PUB. Pa. Arch., ser. 2, v. 7, pp. 124-126.

ABST. Remarks on proposed letter to Governor of Maryland on bounds, suggesting modification of phraseology.

1734. **Letter. F. J. Paris to John Penn.**

Cf. Allen, Curiosa, No. 298.

1733/4.
Jan. 10. **Pennsylvania Commissioners. Report to the Proprietors.**

"The original reports of the commissioners appointed by John, Thomas and Richard Penn, proprietors and governors of Pennsylvania, and the other commissioners about the boundaries of said countries. The commissioners met at Newtown in the county of Kent. The whole is nicely written in a book folio. 93 pages. It has the name of all the commissioners in their own writing and has the Great Seal of the Province of Pennsylvania appended to it."

Cf. Pa. Arch., ser. 2, v. 16, p. 483.
Coleman, Cat. Penn Papers, 1870, No. 9.
Ptd. by B. Franklin, Phila., 1736, with "Articles of Agreement," 1732, q. v.

Mar. 8. **Letter. Governor Gordon to Governor Ogle.**

PUB. Pa. Arch., ser. 1, v. 1, pp. 417-423.

ABST. Claims border troubles come from Maryland design. Cites Octarora line and agreement of 1724 and claims there is a boundary fixed until complete settlement.

1734.
May 14. **Pennsylvania. Lt. Governor Patrick Gordon, Commission to Andrew Hamilton and John Georges of Philadelphia, to treat with the Lieutenant Governor of Maryland and conclude measures to preserve peace between the governments until the boundaries should be run.**

PUB. Pa. Arch., ser. 1, v. 1, p. 428.

Note. These commissioners in reality made proposals for running lines. See letter Gov. Ogle to Gov. Gordon, 15 Sept. 1735.

May 14. **Thomas Penn. Instructions to Andrew Hamilton, Esq. and John Georges, on their journey to Annapolis, in the province of Maryland.**

PUB. Pa. Arch., ser. 1, v. 1, pp. 429-433.
See Pa. Col. Rec., v. 3, p. 585.

ABST. Instructed to devise measures for peace recalling the fact that Pennsylvania has held to the Octoraro for fifty years.

May 15. **Letter. James Logan to Thomas Penn.**

PUB. Pa. Arch., ser. 2, v. 7, p. 167.

ABST. Suggests transcription and insertion of additional clause in letter to Gov. Ogle.

June 17. **Speech. Governor Gordon to Pennsylvania Assembly.**

PUB. Pa. Arch., ser. 4, v. 1, pp. 546-547.

ABST. Explains convening of Assembly on account of Baltimore's petition for joining Delaware counties to Maryland.

June 20. **Pennsylvania Council. Minutes of Resolution regarding the attestation of the three copies of the Minutes of Commissioners for Pennsylvania.**

PUB. Pa. Col. Rec., v. 3, pp. 544, 586.
Rept. Secy. Int. Aff. "Boundaries," 1887, pp. 2-3.

June 23. **Letter. James Logan to Thomas Penn.**

MS. ORIG. Lenox Lib., Emmet MSS., No. 14476.
PUB. Pa. Arch., ser. 1, v. 3, p. 168.

ABST. Suggests modification of agreement for Southern Boundary and admits that "the Cape mentioned in the article [of 1732] will with difficulty, if ever, be found."

1734.

Aug. 8. Petition. Charles, Lord Baltimore to King George II for a further charter or letters patents to confirm the whole of the peninsula notwithstanding the words "haectenes in culta."

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 307.
Cf. Pa. Arch., ser. 2, v. 16, p. 67; 483-485.

ABST. Asks for confirmation of original charter to Maryland making no mention of the controversy or agreement of 1732.

Aug. 10. Additional Instructions to Samuel Ogle, Esq., Lieutenant Governor of the Province of Maryland. Dated August the 10th, 1734.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 295½, pp. 48-50.

ABST. "I approve of the Grant for 500 Acres and 200 Acres to Cressap and the other person, and as it is uncertain when the Determination of the Bounds in those parts will happen, I am willing, and accordingly Order that grants in Fee shall be made of all the Land in the Northernmost Reserve on Susquehannah: and for that purpose I Direct such Reserve to be taken off, and further I am willing you should Encourage the Settling Such Reserve, by allowing to many Such Settlers as you think fitt to take the Same up without any Caution-money, at 10 shillings the 100 acres; but that same Rent shall not commence or be payable until the Settlement of the Boundarys in those parts, and on the making such grants, the persons taking them must (if you can prevail with them) enter into some Acknowledgement of my Right under their hands in Such manner as may make them lyable to a penalty in case they should not always behave themselves as my tenants, or not Act in support of my Government."

Aug. 19. Letter. Governor Gordon to Justices of the Border Counties.

PUB. Pa. Arch., ser. 4, v. 1, pp. 539-541.

ABST. Cites Attorney-General's decision that the terms of the agreement of 1732 are still pending, and orders that the justices preserve order.

Oct. 5. Letter. James Logan to Thomas Penn.

PUB. Pa. Arch., ser. 2, v. 7, p. 170.

ABST. Refers to Smith's Line from Octorora and Noble's Line from Conestogoe and speaks of S. Blunston running a new line and that the variation is about 5° 40 minutes westward.

Dec. 19. Petition of Richard Penn to King George II.

Pa. Arch., ser. 2, v. 16, pp. 486-491.

ABST. Reviews the history of the controversy and asks that the Petition of Lord Baltimore be dismissed.

Petition of the Penns to the King with answers thereto. 12 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 308.

ABST. Regarding title to three lower counties.

1734/5.

Jan. 16. Lords of Trade and Plantation. Report on Petition of Charles, Lord Baltimore.

Cf. Pa. Arch., ser. 2, v. 16, pp. 492-495. See also p. 70.

Note. This report favorable to Lord Baltimore's claim.

1735.

May 10. Committee of Council. Report on above report.

Cf. Pa. Arch., ser. 2, v. 16, pp. 495-496.

ABST. Recommend that consideration of the report and petitions be adjourned to give an opportunity to Messrs. Penn.

May 16. Order of King in Council.

Cf. Pa. Arch., ser. 2, v. 16, p. 496.
Approves report and orders adjournment of case as recommended.

1735.

May 25. **Instructions to Samuel Ogle, our Lieutant Governor & Chancellor, & Edmond Jenings, Esqre our Judge of our Land Office.**

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 2951/2, p. 71.

Abst. Authorizes the grant of 5000 acres to John Diggs "to be laid out where he shall think fitt on the remote Borders and parts of our province."

1735. **Memoranda of Evidence read for the Plaintiff. 3 pp. fol.**

Ms. Copy. Md. Hist. Soc., Calvert Papers, Nos. 376, 377, 378, 379, 389.

1735. **Map of Virginia. According to Captain John Smith's map published Anno 1606. Also of the adjacent country called by the Dutch Niew Nederlant, Anno 1630, by John Senex. 19 x 14½. Engraved. Scale 5½ mil.-1 cm. Lat. 37-42. No Long.**

Ms. Pa. Hist. Soc., Penn MSS. Papers relating to the 3 Lower Counties, p. 149. Endorsed in Ms. [by Thomas Penn or his counsel] "Being the only English map of these parts known to have been extant in the year 1632 when Maryland was granted to Calvert, afterwards Lord Baltimore." Issued by the Penn family for the use of counsel. Cf. Puttick & Simpson, No. 599.

Pub. In Senex, Short account of Va.-Md., etc., 1735, Sabin, No. 80586.

Abst. Newcastle is shown at 40°. Octoraro Junction about 6 miles above. Cape Hinlopen south of Cape Cornelius about 39°. Division of peninsula by tangent line marked TV which runs around Circle boundary as WP. Area west of this line between parallel 39° and above 40° at Octarora is washed green. Patowmeck marked as runing off like Aquia Creek, below 39°. Dotted north and south line drawn just west of this bend of Patowmeck.

Note. The Lib. Cong. copy was an exhibit in Penn-Baltimore suit as it bears this MSS. note in handwriting of Atty. F. J. Paris. "This is according to Capt. Smith's map by which the King's Grant of Md. was made. The red shows Md. as orig. granted. The blue shows what farther Mr. Penn released to Ld. Baltimore by the Articles of 1732 in cons'd of his releasing his pretense to the 3 Lower County's and all w'ch we granted him then he never had any title to before." [i. e. on assumption that Penn's grant went down to 39° as beginning of degree 40°].

On the map in the Lib. Cong. copy of his book "A short account," etc., Senex notes, "Hitherto Lord Baltimore claims, although all to the Northward of the 39th degree is expressly without his grant and within Mr. Penn's."

Cf. also Senex, Editions of 1710, 1719, 1736.

June 21. **Chancery. Penn vs. Baltimore. Bill. John Penn, Thomas Penn and Richard Penn, Esqrs; the three Surviving Sons of William Penn Esq; deceased, who in his Life-time was Proprietary of the Province of Pensilvania, and of the three Lower Counties called Newcastle, Kent and Sussex, on Delaware, adjoining to the said Province of Pennsilvania in America, Plaintiffs. Charles Calvert Esq; Lord Baltimore in the Kingdom of Ireland, Defendant.**

Pub. Pa. Arch., ser. 2, v. 7, pp. 338-371; v. 16, pp. 1-83.

Note. For answer of defendant see June 15, 1737.

June 25. Letter. Governor Gordon to Governor Ogle.

Pub. Pa. Arch., ser. 1, v. 1, pp. 447-453.

Abst. Refers to Cresap and to the embassy of Hamilton and Georges and offers to confer provided Ogle agrees to run line 15 miles south of Philadelphia.

June 25. Letter. James Logan to Thomas and John Penn.

Pub. Pa. Arch., ser. 1, v. 3, p. 178.

Abst. Mentions "revising R. Charless' Draught of ye Lettr to Maryld."

1735.
Sept. 15. Letter. Governor Ogle to Governor Gordon.

PUB. Pa. Arch., ser. 1, v. 1, pp. 461-464.

ABST. Does not think it possible to agree upon running any lines, because he has it under the hands of Hamilton and Georges [the commissioners] that they insist upon a line being run according to Pennsylvania's own pretension. Apparently, nothing will content him [Gordon] but actual running of linee according to Pennsylvania's pretensions.

Oct. 2. Letter. Governor Gordon to Governor Ogle.

PUB. Pa. Arch., ser. 1, v. 1, pp. 466-477.

ABST. If there is any one point on which he is striving to agree it is on some known limits without prejudice to either of the proprietors for their respective jurisdiction, until such time as the boundaries of the province shall be truly settled.

Oct. 9. Chancery. Penn vs. Baltimore. Brief. To oppose the Annexed notice of Motion for the defendant [Lord Baltimore]. 4 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 315-316.

Dec. 19. Letter. James Logan to Thomas and John Penn.

PUB. Pa. Arch., ser. 2, v. 7, pp. 178-179.

ABST. Refers to the finding of a letter from Mr. Dulaney, Attorney General of Md. to his attorney at Lancaster; also to an unsuccessful attempt to take Cresap.

1735. Letter from a Gentleman in Pennsylvania to his friend in Maryland. With some reasons why N. Boundary of Maryland cannot by Lord Baltimore's charter be extended to any part of 40° Latitude, but is limited by a Line which is 39° compleat from equinoctial Line. With a Case stated and laid before Council relating to construction of Lord Baltimore's charter and opinion of said council thereon. Together with answer to foregoing letter with some arguments showing mistakes therein and proving that N. Boundary of Maryland is a parallel of Latitude or Line at End of 40° or 40° compleat from equinoctial Line. A copy of map of Maryland according to Lord Baltimore's map of 1635. A copy of map of Virginia, according to grant in 1609 and 1611. Also of sea coast of N. England, according to Grant in 1620. A copy of Captain Smith's map of Virginia, made in 1606, being the only map of Virginia known in 1632.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1046.

Note. A manuscript folio book with several maps and illustrations.

London, for the author (Anon) [about 1735], 12 mo., 15 pp.

1735? Some short observations upon the Pennsylvania Map and groundless objections against the undoubted rights and bounds of Maryland. 9 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 304.

1735/6.
Jan. 6. Letter. Governor Ogle to Governor Gordon.

PUB. Pa. Arch., ser. 1, v. 1, pp. 471-479. See also Pa. Col. Rec., v. 2, p. 614.

ABST. Claims as much right to have temporary line run according to Maryland pretensions as to Pennsylvania's, with a Salvo to the rights of the proprietor of Pennsylvania. In reply to the charge that the county of Lancaster has always been in the possession of Pennsylvania since its first settlement and that Maryland did not claim any part of it many miles to the southward of Conestogoe until 1730, mentions Lord Baltimore's claim to the 40th degree of north latitude acknowledged by the order in council in 1685 which took from him [Lord Baltimore] the three lower counties.

1735/6.

Feb. 3. MAP. Senix, John. [boundary lines between Pennsylvania and Maryland]. 10½x16 inches. 1736. London.

MS. COPY. Cf. Pa Hist. Soc., Penn MSS. "Boundaries," No. 136, Allen, Catl. Penn Papers.

Note. Inscribed on the back: "This is the first proof of the plate to describe the Bounds between Pensilvania and Maryland grant. 3 Feb., 1736. By Mr. Senix". Note by Penn's attorney on the face: "I think ye length of ye line (or ye width) of Pensilvanies part of ye peninsula (Delawares south boundary) is about 20? miles and in ye narrowest part [at Newcastle] is 12 miles and ye length of ye Diagonal line up ye peninsula [Delawares west boundary] is about 87 miles. All English statute miles according to this scale."

See also Senix edition of 1710 and 1735.

1736.

May 15. Letter. Governor Gordon to Governor Ogle.

PUB. Pa. Arch., ser. 1, v. 1, pp. 479-487.

ABST. Claims border troubles are in no way due to Pennsylvania's unwillingness and reviews the progress of the whole controversy.

May 22. Letter. Governor Ogle to Governor Gordon.

PUB. Pa. Arch., ser. 1, v. 1, p. 488.

ABST. Says Gordon will not answer his proposals and no end to the dispute but "by running the Lines as You would have Us, and upon Our Refusal, a Repetition of the Injuries and Insults we have hitherto met with."

Aug. 11. Petition of Inhabitants along Susquehanna.

PUB. Pa. Col. Rec., v. 4, pp. 61-62.

Note. Different petition from the following but to same intent, dated as above.

Aug. 13. Petition of 47 Inhabitants of the Susquehanna.

PUB. Pa. Arch., ser. 2, v. 7, pp. 202-203.
Pa. Col. Rec., v. 4, pp. 64-65.

ABST. Say that they settled under Maryland supposing that the Susquehanna was the dividing line but now learn that the boundary line is to be an East and West line and ask to be received as residents of Pennsylvania. Accepted.

Aug. 13 A series of Depositions to show that the attack on Cresap was officially made under orders of Sheriff of Lancaster County.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 319.

Cf. Veech, Monongahela of Old, pp. 229-230 for biographical sketch of Cresap.

Aug. 24. Report of Samuel Blunston to Pennsylvania Council regarding Germans west of Susquehanna.

PUB. Pa. Col. Rec., v. 4, pp. 57-58.

ABST. Gives an account of trouble with Cresap and anxiety of Germans to renew allegiance.

Aug. 31. Letter. Governor Ogle to James Logan, President Pennsylvania Council.

PUB. Pa. Col. Rec., v. 4, pp. 60-61.

ABST. Transmits petition of Germans to Pennsylvania authorities and says border troubles are due to local authorities.

Sept. 7. Letter. John Wright to Provincial Council of Pennsylvania.

PUB. Pa. Arch., ser. 2, v. 7, p. 201.

ABST. Describes the arrival at Cresaps of the Sheriff of Baltimore County with an armed force of 200 men.

1736.

Sept. Letter. Samuel Blunston to President James Logan.

PUB. Pa. Col. Rec., v. 4, pp. 63-64.
ABST. Gives account of armed force of Marylanders at Cresaps.

Sept. Correspondence between William Hammond, Sheriff of Baltimore County, Maryland and Samuel Smith, Sheriff of Lancaster County, Pennsylvania, regarding armed force at Cresaps.

PUB. Pa. Col. Rec., v. 4, pp. 66-77.
Note. Papers too remote from subject to be listed separately, but throwing light on one of the border clashes.

Sept. 8. Letter. Pennsylvania Council to Justices and High Sheriff of the County of Lancaster.

PUB. Pa. Col. Rec., v. 4, pp. 65-66.
Pa. Arch., ser. 4, v. 1, pp. 565-566.
ABST. Answers petition telling him to keep the peace and to note those persons most active.

Sept. 10. Letter. James Logan to Justices of Lancaster County.

PUB. Pa. Arch., ser. 4, v. 1, pp. 566-567.

Sept. 17. Proclamation. Concerning the Invasion of the Province by an Armed Force from Maryland.

PUB. Pa. Arch., ser. 4, v. 1, pp. 568-570.

Sept. 18. Letter. President James Logan to Governor Ogle.

PUB. Pa. Col. Rec., v. 4, pp. 76-79.
Pa. Arch., ser. 4, v. 1, pp. 570-575.
ABST. Claims Maryland has no rights in territory and that the sending of an armed force was not justified and that another would be resisted.

Oct. 21. Resolutions of Governor & Council of Maryland touching the affair of Cresap. 14 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 717.
ABST. Minutes of Council meeting held 21 Oct. 1736, includes depositions of Miles Foy, Elizabeth Lowe, Wm. Hammond, Proposals made to preserve Peace and Quietness in the Provinces.

Nov. 12. Letter. James Logan to Governor Ogle.

PUB. Pa. Arch., ser. 4, v. 1, pp. 652-654.

Dec. 1. Letter. Governor Ogle to President James Logan.

MS. ORIG. Lenox Lib., Emmet MSS., No. 14553, 2 pp.
ABST. Cresap outrage leads him to send Messrs. Jennings and Dulaney to Pa. Council to secure reparation.

Dec. 2. Letter. James Logan to Governor Ogle.

PUB. Pa. Arch., ser. 4, v. 1, pp. 654-655

Dec. 6. James Logan. Introductory Address to the Assembly, treating especially of the Border Difficulties with Maryland.

PUB. Pa. Arch., ser. 4, v. 1, pp. 582-584.

Dec. 10. Pennsylvania Council. Answer to demands of Maryland.

PUB. Pa. Col. Rec., v. 4, pp. 121-124.
Pa. Arch., ser. 4, v. 1, pp. 584-589.
ABST. Refuse to deliver sheriff of Lancaster to Maryland authorities and assert that his action was just.

1736.

Dec. 11. Petition. Humble Address of the Deputy Governor and the upper and lower Houses of Assembly of the Province of Pennsylvania. To the Kings most Excellent Majesty. 7 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 820.
PUB. Pa. Col. Rec., v. 4, pp. 125-129.
Pa. Arch., ser. 4, v. 1, pp. 589-596.
ABST. Complains of border troubles and prays that Baltimore be enjoyned to desist from violences.

Dec. 12. Letter. Messrs. Edm. Jennings and D. Dulany to James Logan. President Pennsylvania Council.

PUB. Pa. Col. Rec., v. 4, pp. 130-135.

Dec. 14. Letter. James Logan to Edmund Jennings and Daniel Dulany.

PUB. Pa. Col. Rec., v. 4, pp. 137-139.
Pa. Arch., ser. 4, v. 1, pp. 596-600.

Dec. 16. Letter. President James Logan to Governor Ogle.

PUB. Pa. Col. Rec., v. 4, pp. 140-141.
Pa. Arch., ser. 4, v. 1, pp. 601-602.
ABST. Requests Ogle to join in some effectual measures to quiet border disputes and refers to Pennsylvania petition to king.

Dec. 18. Address to Council in Reply to Certain Reflections upon the President and the whole Government by the Commissioners of Maryland.

PUB. Pa. Arch., ser. 4, v. 1, pp. 602-605.

Dec. 24. Letter. James Logan to Governor Ogle.

PUB. Pa. Arch., ser. 4, v. 1, pp. 607-616.

Dec. 24. Letter. Governor Ogle to President Logan.

PUB. Pa. Col. Rec., v. 4, pp. 156-157.
ABST. "You know very well it is impossible for us to propose more reasonable terms than we have already done, ... if you have now in Reality altered your Minds and are willing, as you say, to come into Concessions really reasonable. . . . . let us know precisely what the concessions are that you are willing to come into, and if they are reasonable, I promise to join with you cheerfully and heartily." [Some suggestion that this letter was antedated. Cf. Pa. Council Proc. & Governor Ogle's letter March 16, 1736-7.]

1736. Pennsylvania Council Proceedings. Various papers relating to an Association formed to oust Dutch west of Susquehannah to whom the lands were to be assigned in 20 acre lots.

PUB. Pa. Col. Rec., v. 4, pp. 100-118.
ABST. Cites the demands made at Philadelphia by Jennings and Dulany on part of Maryland.

1736. Letter. James Logan to Thomas Penn.

PUB. Pa. Arch., ser. 2, v. 7, p. 193.
ABST. Council of opinion "that Possessions should be kept on the other side of Sasquehanna if practicable."

1736. Letter. James Logan to Thomas Penn.

PUB. Pa. Arch., ser. 2, v. 7, p 198.
ABST. Refers to the drawing up of a letter to Governor Ogle in reply to the latter's proposition [of ?] and says I cannot determine with myself whether some further delay may be most advisable . . . . . or whether . . . . there should be no time lost in showing your readiness to enter into an amicable Treaty."

1736/7. **Affidavits regarding the burning of Cresap's house and the killing of Maloney and of Cresap's house being in Maryland Government. 35 pp. fol. (No. 5.)**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 219.

ABST. Made to prove that the attack was made with the official sanction of Pennsylvania.

Mar. 5. Letter. President James Logan to Governor Ogle.

PUB. Pa. Col. Rec., v. 4, pp. 159-165.

ABST. Gives review of the various attempts to adjust differences. Says they have made all the reasonable propositions they can but that if Ogle can propose any rational measures to render the thing [settlement] practicable, he will not oppose.

Mar. 17. Order of King in Council referring Petition from President and Assembly of Pennsylvania to Committee of Plantation Affairs.

Cf. 25 May, 1738.

Mar. 22. Letter. President Logan to Governor Ogle.

PUB. Pa. Col. Rec., v. 4, pp. 175-181.
Pa. Arch., ser. 4, v. 1, pp. 618-627.

ABST. Consists essentially of the usual charges and insinuations of bad faith that marked both sides of the correspondence at this time, but suggest allegiance of settlers according to their point of departure into disputed zone.

1737.

Mar. 29. Letter. Governor Ogle to President James Logan.

PUB. Pa. Col. Rec., v. 4, pp. 186-188.

"I must own you have offered something which I hope will do, if you do not spoil it by insisting on such Provisos and Exceptions as may leave Room, as I said before, for fresh Wrangles & Disputes."

April 8. Letter. President James Logan to Governor Ogle.

PUB. Pa. Col. Rec., v. 4, pp. 190-194.
Pa. Arch., ser. 4, v. 1, pp. 627-633.

ABST. Reviews whole correspondence and asks what Ogle would do in his place.

April 15. Letter. Governor Ogle to President James Logan.

PUB. Pa. Col. Rec., v. 4, pp. 195-196.

ABST. Says he will leave to Pennsylvania all such as first settled under Pennsylvania and will only look upon such to be Marylanders at present, as settled and held under this Government. . . . if you will grant me the same favour it is all I desire."

April 20. Letter. President James Logan to Thomas Penn.

PUB. Pa. Arch., ser. 2, v. 7, p. 209.

ABST. Returns Governor Ogle's letter with comment on future action. Thinks difficulty may arise from the presence of Maryland Constables west of Susquehannah earlier than those of Pennsylvania.

April 21. Petition of Charles Lord Baltimore to King George II.

Cf. Pa. Arch., ser. 2, v. 16, pp. 497-498.

ABST. Prays that no Deputy Governor be appointed by the Penns and that directions for quieting the possessions might be given pending the settlement of the questions in dispute.

April 30. Letter. President James Logan to Governor Ogle.

PUB. Pa. Col. Rec., v. 4, pp. 198-201.
Pa. Arch., ser. 4, v. 1, pp. 634-637.

ABST. On the basis that all remain undisturbed and that no further settlements be made pending settlement he says he will name commissioner to act with one from Maryland to determine who first entered the disputed lands and under what governments.

1737.

May 8. **Address to Assembly Concerning the Maryland Border Difficulties.**

PUB. Pa. Arch., ser. 4, v. 1, p. 638.

May 12. **To the Council Concerning . . . the Appointment of Commissioners to Maryland.**

PUB. Pa. Arch., ser. 4, v. 1, pp. 639-640.

May 14. **Pennsylvania Council. Instructions to Messrs. Samuel Preston and John Kinsey respecting their conference with Governor Ogle.**

PUB. Pa. Col. Rec., v. 4, pp. 206-208.

ABST. Reviews case and instructs them to file remonstrance if they cannot come to terms.

May 14. **Letter. President James Logan to Governor Ogle.**

PUB. Pa. Col. Rec., v. 4, pp. 205-206.
Pa. Arch., ser. 4, v. 1, p. 641.

ABST. Accrediting Messrs. Samuel Preston and John Kinsey as commissioners to confer with Governor Ogle.

May 16. **Letter. Governor Ogle to President James Logan.**

PUB. Pa. Col. Rec., v. 4, pp. 167-171.

ABST. Charges wilful misinterpretation [etc.] and reviews history of trouble from his view point. Says he is ready to act if the Pennsylvania authorities give indications that they really mean business.

[May 25]. **Credentials to Commissioners to Maryland to Settle Border Difficulties.**

PUB. Pa. Arch., ser. 4, v. 1, pp. 642-645.

May 26. **Remonstrance of the Governor and Council of Maryland relating to the Affidavits delivered to Mr. Sharpe May 26, 1737, relating to Cresap's affair. 3 pp. fol. annotated.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 321.
PUB. Scharf, Hist. Md., pp. 400-406.

May 27. **Messrs. Samuel Preston and John Kinsey. Report to President James Logan and Council with documents appended.**

PUB. Pa. Col. Rec., v. 4, pp. 210-223.

ABST. Account of a series of conferences from May 24 to May 27 at Annapolis. They agreed on everything but the manner of finding out the original proprietor of each settler. Ogle wanted to settle at once; Pennsylvania commissioners wished to refer to a commission.

June 3. **Report of the Lords of Trade.**

PUB. Pa. Arch., ser. 2, v. 16, pp. 499-500.

ABST. Review case and suggest that King enjoin Governors to preserve peace.

June 15. **Chancery. Penn vs. Baltimore. Answer of the defendant, Lord Baltimore to bill in chancery.**

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 371-375. Two copies attested.

PUB. Pa. Arch., ser. 2, v. 7, pp. 371-393; v. 16, pp. 83-217 (annotated by Penns).

Note. The notes published are strongly partisan and frequently do not represent the facts in the case. Similar manuscripts annotated favorable to the Baltimores are found among the Calvert Papers.

July 21. **Petition of Lord Baltimore against report of June 3.**

Cf. Pa. Arch., ser. 2, v. 16, pp. 500-501.

1737.
July 21. Order of King in Council referring petition of Governor and Council in Maryland to Committee for Plantation Affairs.

Cf. May 25, 1738.

July 22. Letter. President James Logan to Governor Ogle.

PUB. Pa. Col. Rec., v. 4, pp. 228-229.
Pa. Arch., ser. 4, v. 1, pp. 645-648.

ABST. Complains of treatment of Elisha Gatchel whose deposition he encloses and asks Governor Ogle to arrest five Marylanders.

July 22. Deposition of Elisha Gatchell.

PUB. Pa. Col. Rec., v. 4, pp. 229-232.

ABST. Says he was arrested and harshly treated by drunken Maryland soldiers who claimed to be acting under Gov. Ogle's verbal orders. Was taken to Maryland and released on bail.

Aug. 16. Letter. Governor Ogle to Pennsylvania Council.

PUB. Pa. Col. Rec., v. 4, pp. 242-243.

ABST. Denies that failure to reach a satisfactory agreement with Messrs. Preston and Kinsey was his fault; that he will look into the case of Mr. Gatchell and do full justice but that the former actions of the latter do not cause him to fully credit the truth of the deposition.

Aug. 18. Order. King in Council to the Governors of Maryland and Pennsylvania to forbid all disorders along the boundaries, also enjoining them from making grants in disputed territory.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 295½, pp. 27-28.

PUB. Scharf, Hist. Md., p. 406. Cf. also Gordon, Hist. Pa., p. 221; Smith, Hist. Del. Co., p. 247.

1737. MAP. Benjamin Eastburn. Manuscript map of the counties of Newcastle, Kent and Sussex upon Delaware. Exactly showing the road from the town of Newcastle to the town of Lewes near Cape Cornelius and from the said Cape the sea coast to Cape Henlopen according to a careful survey made in the year 1737. Drawn by Benjamin Eastburn, Survey-General of the Provinces of Pennsylvania and of the Counties aforesaid. The original drawing [slightly damaged] 3 ft. 3 inches by 2 ft. 4 inches.

Cf. Puttick & Simpson, No. 570. See also Eastburn's map, 1740.

Note. Eastburn kept notes for "Jersey Surveyors," 1739.

1737. MAP of the town of New-Castle, Delaware, as it appeared in 1656. Scale 20 perch to inch, 8 x 13 inches.

Note. Copy in hands of Mr. Amos C. Brinton, Wilmington, Del.

1737/8.
Jan. 2. Proclamation for the Suppression of Tumults, Riots and Disorders on the Maryland Border.

PUB. Pa. Arch., ser. 4, v. 1, pp. 656-657.

Jan. 4. Letter. James Logan to Governor Ogle.

PUB. Pa. Arch., ser. 4, v. 1, pp. 657-659.

1737/8. The case of Messieurs Penn and the People of Pennsylvania, and the three lower counties of Newcastle, Kent and Sussex on the Delaware, in relation to a Series of Injuries and Hostilities made upon them for several Years past by Thomas Cressap and others, by the Direction and Authority of Deputy-Governor of Maryland. 8 pp. fol. [London].

Cf. Sabin, Nos. 59685, 59962 and Allen, Curiosa, No. 353.

1737/8. Broadside. The case of the Province of Maryland touching the outrageous Riots which have been committed in the Borders of that Province by the Inhabitants of Pennsylvania. To be heard before the Right Honorable the Lords of the Committee of Council for Plantation Affairs upon Thursday 23 Day of Feby. 1737, at Six of the Clock in the Afternoon. 3 pp. fol. Printed.

Ms. Md. Hist. Soc., Calvert Papers, No. 323.

PUB. Printed, London, 1737, cf. Sabin, No. 45099, Allen, Curiosa, No. 350.

Feb. 4. Committee of Council. Report.

Cf. Pa. Arch., ser. 2, v. 16, pp. 501-502.

ABST. Recommend that Lord Baltimore be allowed to withdraw his petitions as he requests.

Feb. 23. The case of the proprietors of the province of Pennsylvania and the three lower counties of Newcastle, Kent and Sussex on Delaware. To be heard before the Right Honorable the Lords of the committee of His Majesty's Most Honorable Privy Council for plantation affairs. At the Cockpit at Whitehall, Thursday 23 Feby. 1737. 8 pp. fol. Printed by W. Murray.

PUB. Hazard Reg., v. 2, pp. 200-214, p. 203. Described the running of the Octoraro line by Talbot. This is a miniature breviate (?). Discussion of the length and position of the Maryland-Pennsylvania line and circle and the East and West Line, p. 209.
Cf. Puttick & Simpson, No. 848.

THE "TEMPORARY" LINE.

1738.
May 4. Agreement of Lord Baltimore and Messrs. Penn.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 295½, pp. 80-83.
Cf. Pa. Arch., ser. 2, v. 16, pp. 502-503.
See also Order of King, 25, May 1738, Calvert Papers, No. 295½.

ABST. Asking that the King's order of 18 Aug. 1737 relating to the granting of land be revoked and agreeing to methods of control pending final settlement. This allows all lands then possessed to remain as they are and all vacant lands, exclusive of the three lower counties, on the east side of the Susquehanna to 15¼ miles south of the latitude of the most southern part of the city of Philadelphia and on the west side of the said Susquehanna River down so far south as 14 miles and ¾ of a mile south of the latitude of the most southern part of the city of Philadelphia to be under the jurisdiction of Pennsylvania and all vacant lands in the contest between the proprietors on both sides of the Susquehanna River south of the above mentioned Southern limits to be under the jurisdiction of Maryland until the boundaries shall be finally settled. [These distances were chosen to come as near as possible to the agreement of 1732 without confirming it.]

May 4. MAP. Pennsylvania and Maryland [showing boundary lines] 9¼x14½ in. No scale. Copper plate.

ORIG. Lib. Cong. (attached to Senex map of 1735); Lenox Lib., Emmet MSS., No. 5651. Also another copy (but colored) is in map collections.
REPUB. Md. Hist. Soc., Fund Pub. 34, No. 2, p. 134.

Note. The Lib. Cong. copy was evidently used in drawing up the 1738 agreement as a Ms. note in the handwriting of Paris, Penn's attorney, "This is Lord Baltimore's own plan annexed to his articles. The red shows Maryland as we by these articles [1738] have agreed to enlarge and extend it."

1738. John Penn and Peter Colinson. 9 letters in the autograph of John Penn, relating chiefly to the Baltimore litigation . . . 1738-9.

Cf. Allen, Curiosa, No. 293.

Note. Gibson, Hist. York Co., p. 75, footnote states that copies of papers accompanied by "handsomely drawn and colored maps" were sent to England, cf. map in Pa. Arch., ser. 1, v. 1, p. 595 and map of 1740 in Pa. Arch., ser. 2, v. 16, front.

May 25. "Order in Council. Confirming the Proprietors Agreement for Temporary Jurisdiction till the Boundarys shall be finally determined."

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 42.
Md. Hist. Soc., Calvert Papers, No. 295½, pp. 33-36.
PUB. Pa. Col. Rec., v. 4, pp. 298-301.
Gibson, Hist. York Co., pp. 73-75.
Mombert, Hist. Lancaster Co., pp. 143-145.
Cf. Pa. Arch., ser. 2, v. 16, pp. 503-504.

ABST. Acting on a report from the Committee for Plantation Affairs dated 4th inst. the King orders among other things, that a Temporary Line drawn 15¼ miles south of Philadelphia on the east side of the Susquehanna and 14¾ miles south of Philadelphia on the west side be the limits of the two provinces until the boundary shall be finally settled.

Aug. 29. Pennsylvania. Proclamation relating to the Royal order. 8 pp. 12¾ x 7¾ in.

MS. ORIG. Office of Secy. State, Harrisburg (?).
MS. COPY. Md. Land Office. Made 9 May, 1748.

ABST. Proclamation announcing the receipt of an order of His Majesty in Council of May 25th, in which is recited the deliberations of the Lords of the Committee of Council for Plantation Affairs, upon His Majesty's order of March 17, 1736/7 and the 21 July 1737, directing the Governors of the Provinces of Maryland, Pennsylvania and the three lower counties to preserve the peace along the border; and the eight articles of agreement entered into by the Proprietaries of each Province before the Committee.

Sept. 30. Letter. Governor Ogle to Governor Thomas.

Answered by the following.

Oct. 12. Letter. Governor Thomas to Governor Ogle.

Deals with appointment of Commissioners for Temporary Line.

[Oct. or Nov.] [Record of field work by the Jersey Surveyors].

Note. Not found but would represent the survey from Philadelphia Six miles west to Ladd's House to the Susquehanna. "In the fall of 1738 . . . the Marylands not attending at the time appointed Penn hired two surveyors from the Jerseys to have the business forwarded. Several other surveyors attended on them." Lightfoot Journal, 1739.

Dec. Pennsylvania. Commission to Lawrence Growden and Richard Peters on the part of Pennsylvania to join Levin Gale and Samuel Chamberlaine, commissioners on the part of Maryland, for running the temporary lines between the two provinces.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 46.
PUB. Pa. Arch., ser. 1, v. 1, p. 601.

Dec. 5. Pennsylvania Council. Minute of Meeting. Governor George Thomas announces the appointment of Lawrence Growden Esq., and Mr. Richard Peters, as commissioners and Benjamin Eastburn as surveyor, on the part of Pennsylvania, to join the Maryland commissioners to run a line as provisional temporary limits between the two provinces.

PUB. Pa. Col. Rec., v. 4, p. 313.
Pa. Rept. Secy. Int. Aff. Boundaries, 1887, p. 3.

1738.

Apr. 23. **John Taylor. MSS. field notes [of Survey from Benjamin Ladd's house, 6 miles west of Philadelphia, to the forks of the Brandiwine] "in all 31 mile 95p."**

Ms. ORIG. Pa. Hist. Soc., Taylor Papers D, pp. 86-87.

Note. The lines by Taylor and by the Jersey Surveyors were different lines run westward from Phila. to clear the streams for measuring 15 miles southward (cf. Letter, Peters to Thomas, Apr. 18, 1739). Their work was followed by Mason and Dixon in 1763 in placing the "star gazers stone" at the forks of the Brandywine (Harlan's).

1739. **Draught of Fabian's Marsh, Poor Robin's Almanac, and other tracts in Washington county showing position of Temporary Line.**

Ms. In office of Washington County, Md., County Surveyor.

Note. Shows Temporary Line 225 perches north of Mason and Dixon line at Fabian's Marsh on Mr. Bell's farm.
Cf. Bell, Hist. Leitersburg Dist., p. 46.

Apr. 18. **Letter. Richard Peters to Governor Thomas.**

PUB. Pa. Arch., ser. 1, v. 1, p. 556.
Pa. Rept. Secy. Int. Aff., Boundaries, 1887, p. 3.
See also Smith, Hist. Del. Co., p. 249.

ABST. Gives progress of work and announces that new line is more favorable to Pennsylvania than the others were.

Apr. 20. **Letter. Richard Peters to Governor Thomas.**

PUB. Pa. Arch., ser. 1, v. 1, pp. 556, 557.
Pa. Col. Rec., v. 4, pp. 313, 329.
Pa. Rept. Secy. Int. Aff. Boundaries, 1887, p. 4.

ABST. Shift in line causes uneasiness and the instruments are compared. Lines believed to be fairly run.

Apr. 23. **Letter. Lawrence Growden and Richard Peters to Governor [Thomas].**

PUB. Pa. Arch., ser. 1, v. 1, p. 558.
Pa. Rept. Secy. Int. Aff. Boundaries, 1887, pp. 5, 6.

ABST. Line west of Phila. completed. Conflict over superficial vs. horizontal measurements on line south. Ask advice, privately, whether they shall concede or break with Md. Commissioners. New line 80 pr. south of "Jersey Line."

Apr. 25. **Letter. Lawrence Growden and Peter Richards to Governor Thomas.**

PUB. Pa. Arch., ser. 1, v. 1, pp. 559-561.
Pa. Rept. Secy. Int. Aff. Boundaries, 1887, pp 7-8.

ABST. [Maryland commissioners] "have conceded 25 perches, which is the full difference between the superficial and horizontal measure, although the Maryland commissioners do not know it is." Believe they have brought the Maryland commissioners into such a temper that they cannot break without prejudice to Lord Baltimore's interest.

Apr. 29. **Letter. Richard Peters and Lawrence Growden to Governor Thomas.**

PUB. Pa. Arch., ser. 1, v. 1, p. 568.
Pa. Col. Rec., v. 4, pp. 313, 339.

ABST. When we came to the end of the line were no more than 20 perches south of the corner the Jersey commissioners had fixed for the end. From here proceeded west eight miles to where they are now and are only 30 perches south of the Jersey Line. Mr. Gale on account of the death of his son, may return home. Acquainted the Maryland commissioners that in case of separation lines would be run as far as the Patowmoc or as far as there were any settlements and would receive a commission for that purpose from the Governor. Mr. Gale states that he has no intention of leaving and that if he does he will ask the governor of Maryland to appoint a new commissioner.

P. S. Asks that a new commission be sent them for their use in case of separation.

1739.

May 1. Letter. Governor Thomas to Lawrence Growden and Richard Peters.

Cf. Letter of 6 May 1739.

May 1. Governor George Thomas of Pennsylvania. Commission to Lawrence Growden, Richard Peters and Benjamin Eastburn, authorizing them to proceed with the running of the lines already begun in the case of the separation of Col. Levin Gale and Samuel Chamberlaine without any new appointment of commission ers on the part of Maryland: to run all other lines which are necessary to ascertain and settle the temporary limits of said provinces and to distinguish such lines by marking trees and otherwise; to lay all of their proceedings therein before him in order that they may be transmitted to His Majesty.

PUB. Pa. Arch., ser. 1, v. 1, p. 612.
Pa. Col. Rec., v. 5, p. 421.

May 6. Commissioners, temporary line. Minutes of proceedings from 5 April to 6, May 1739.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," pp. 4, 6.
PUB. Pa. Arch., ser. 1, v. 1, pp. 603-611.

May 6. Report. Lawrence Growden and Richard Peters, commissioners appointed by virtue of a commission bearing date at Philadelphia 5. day of December in the year 1738 to join Colonel Levin Gale and Samuel Chamberlaine commissioners on the part of Maryland for running, marking and laying out the provisional and temporary limits between the two provinces of Pennsylvania and Maryland, agreeable to His Majesty's orders in council, 25th May, 1738.

PUB. Pa. Arch., ser. 1, v. 1, p. 600.

ABST. Describes the manner of the meeting and of keeping the proceedings. Each set of commissioners provided themselves with a "fair paper book" in which they recorded the work of each day. This was signed by all of the commissioners. These two books were compared and at their parting, one was delivered to the Maryland commissioners and the other to the Pennsylvania commissioners.

Cf. Deposition, 1740, Apr. 30.

May 6. Letter. Lawrence Growden and Richard Peters to the Governor of Pennsylvania.

PUB. Pa. Arch., ser. 1, v. 1, p. 575.

ABST. Enclose minutes of survey to Susquehanna river and announce a going of 110 perches north so that line west of river is only 50 perches north of Jersey line on east side.

May 8. Pennsylvania Council. Minutes of Meeting.

PUB. Pa. Col. Rec., v. 4, p. 329.
Pa. Rept. Secy. Int. Aff. Boundaries, 1887, p. 8.

ABST. Governor Thomas lays before the Council the correspondence relating to the Temporary line.

May 28. The report of Lawrence Growden and Richard Peters, commissioners, and Benjamin Eastburn, surveyor, appointed by virtue of second commission, being dated Philadelphia, May 1, 1739, for proceedings *ex parte* to finish the temporary lines (already begun by us in conjunction with the commissioners of Maryland) between the two provinces of Pennsylvania and Maryland.

PUB. Pa. Arch., ser. 1, v. 1, pp. 575-576.
Pa. Col. Rec., v. 4, pp. 313, 329.
Pa. Hist. Soc., Dunlop Mem., v. 1, p. 191.

1739.

ABST. This document is to the effect that in pursuance of the parting minutes of the commissioners of both provinces, while in conjunction, the lines previously run were approved and we agreed that the lines west of the Susquehanna shall begin at a certain hickory tree marked with four notches on each side and that the line should be run to the river Patomock westward: that in pursuance of this minute, the line was run, May 8, 1739, with the same instruments and the same variation (5° 25′) heretofore used, and trees felled and blazed to the top of a most western hill of a range of hills called the Kittochtinny hills, 88 miles from the place of beginning. As no persons are permitted to settle beyond that range the surveyors were ordered to end here and to mark several trees with the initial letters of the names of the proprietors, as usual at the close of boundary lines.

1739. Samuel Lightfoot. Some account of the Temporary Line. Parchment cover, p. sq. O.

MS. ORIG. Pa. Hist. Soc.

ABST. A collection of surveyors notes sent to the Hist. Soc. of Penna. by John F. Watson, gift of Jesse Lightfoot, being the notes of his great-grandfather, deputy surveyor of Chester County. Lightfoot was appointed to take notes after the Jersey Surveyors had run the line six miles from Phila.

1739/40. MAP. Draft of Nottingham and ye London Tract and Lands Adjacent by John Taylor.

MS. ORIG. Pa. Hist Soc., Taylor Papers, Book A, p. 25.

1739/40. MAP. "Draft of the line between Maryland and Pennsylvania" from the Susquehanna to the Conegochege. 12½x16 in.

MS. ORIG. Pa. Hist. Soc., Penn MSS. Boundaries.
Cf. also No. 273, Coleman Catl. and No. 135, Allen Catl. of Penn Papers.

Note. Wm. Parsons transmits "one old draught in Jacob Taylor's handwriting copies, I imagine from the large folio book in the [Pa.] Surveyor General's office." Wm. Parsons letter to Peters 1749 Feb. 9.
Cf. Pa. Arch., ser. 1, v. 2, p. 41. Ms. note on the map reads: "From Phil. to Susq. on a W. course is 70 mi. From Susq. to Conegochege is about 90 mi. There also shows on face of the map a list of 27 persons that live between ye 12 mile circle and Susq. River near the Southern bound of Penna." 12½ x 16 in

1739-40. Documents Respecting the Temporary Line Boundary, between Pennsylvania and Maryland, 1739/40.

MS. ORIG. Harrisburg. See Hazard, Pa. Arch., ser. 1, v. 1.
A series of ten papers with Eastburn's map received from England in 1754.
No. 3. Deposition of Growden and Peters, 30 Apr., 1740, acknowledged by Lt. Gov. Thomas.
No. 4. Report of Growden and Peters, 24 Apr., 1740.
No. 5. Commission's report.
No. 6. Minutes of proceedings (commissioners). 12 Dec., 1738-42= Apr., 1740.
No. 7. Minutes of proceedings, 5 Apr., 6 May, 1739.
No. 8. Commission from Gov. Thomas to Growden, Peters, and Eastburn, May, 1739.
No. 9. Report of Growden and Peters to Gov. Thomas, 28 May, 1739.
No. 10. Report of Eastburn to Gov. Thomas, 24 Apr., 1740.

1739/40. Chancery. Penn vs. Baltimore. "Long list of books, Maps, Deeds, Grants, Wills, Acts, etc., produced before the House of Lords on the Trial, commencing with 1609." 24 pages, folio ms. dated 1739.

Allen, Amer. Curiosa, No. 328.

Stack, Thomas. Deposition to prove a certain copy of Lord Baltimore's: A Relation of Maryland. [Pub. 1635.]

Pa. Arch., ser. 2, v. 16, pp. 512-516.

Note. Stack was librarian for Henry Sloan who owned the book.

1740.

John Taylor, Surveyor, [Records of Survey] of line run *ex parte* by Pennsylvania from the Susquehanna westward to the Conogochoge.

Copy in possession of Mr. Gilbert Cope, West Chester, Pa.

1740. Report of Benjamin Eastburn, surveyor-general to Hon. George Thomas.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries" 2, pp. F. p. 47.
PUB. Pa. Arch., ser. 1, v. 1, p. 614 with map referred to opposite p. 594.

ABST. Report of the operations beginning at Philadelphia Dec. 8, 1738. the running of the lines west of Phila. two miles; the adjournment for the winter; work resumed 13. Apr. 1739, on the west line, which was run west 31 miles and was finished on the 23 Apr.; measurement with William Rumsey, Maryland surveyor, of the south line 15 miles and a quarter finished on 26 Apr.; the running of the west line to the Susquehanna finished on 5, May 1739; the marking of the tree on the west bank of the Susquehanna half a mile to the northward and the final running on the *ex parte* line, which was finished on the 28 May, 1739. "All of which lines are repeated on the annexed map." Map reduced in Gibson, Hist. York Co., p. 75. See next entry.

1740. A map by Benj. Eastburn of part of the province of Pennsylvania and counties of Newcastle, Kent and Sussex on Delaware, showing the temporary limits of the jurisdictions of Pennsylvania and Maryland, fixed according to an order of His Majesty and Council, dated May 25, in the year 1738. Surveyed in the year 1739. Ms. on parchment 21¾ in. wide and 23 in. length. Scale 1 in.=8 m. Includes lat. 38° 30′—40° 45′ N.

MS. ORIG. Office of Secy. Int. Aff. for Pa.
PUB. Gibson, Hist. York Co. Pa., p. 75 (reduced ⅓).
Pa. Arch., ser. 1, v. 1, p. 594.
Present report Plate LXXVII.

ABST. Shows temporary line of 1739 west to Kittochtinny Mtns. also parallel of latitude for Philadelphia for same distance. The Newcastle Circle, the peninsula north and south and east and west lines are also shown. Also Octarora line. This is, apparently, the map sent to England by Governor Thomas in 1754 where it was engraved by Jefferies in 1754. The original came back to America with other Ms.
Cf. Gibson, Hist. York Co., p. 25, footnote.

Note. A new edition of map of 1737 with corrections for survey of 1739.

1740. Chancery. Penn vs. Baltimore. John Penn, Thomas Penn and Richard Penn, Plaintiffs. Charles Calvert, Lord Baltimore, defendant. Plaintiff's case, [with large copy or plate map dated Phila., 20 Oct., 1740, showing all the boundary lines in dispute.] [London, 1740.]

ABST. "This very important historical, geographical, and chronological summary is printed in long lines close type on each side of 13 large folio sheets. It is entirely different from the Great Chancery Case in 116 pages printed two or three years later. With exception of that great storehouse of facts, this is undoubtedly the scarcest and most important document up to this date relating to the history and geography of Maryland and Pennsylvania." Puttick & Simpson, No. 545.

1740. Minute book of Proceedings of the Temporary Line from 12 Dec. 1738. Lawrence Growden and Richard Peters Commissioners for Pennsylvania and Levin Gale and Samuel Chamberlain commissioners for Maryland.

Also report of Benj. Eastburn Surveyor (2 pp.) preceded by copies of their commissions from Governor Thomas and his Attestation thereto. (17 pp.)

MS. ORIG. Pa. Hist. Soc.
PUB. Pa. Arch., ser. 1, v. 1, p. 602.

1740.

April 1. Letter. James Logan to Thomas Penn.

PUB. Pa. Arch., ser. 2, v. 7, p. 220.

ABST. Refers to certain papers. Says affidavit of Amos Nichols is false. Refers to Talbot line.

April 5. Letter. James Logan to Thomas Penn.

PUB. Pa. Arch., ser. 2, v. 7, p. 221.

ABST. Refers to papers prepared in 1736 and sent to Proprietors in answer to any argument favorable to Baltimore which might be inferred from Order of 1685.

April 30. Deposition of Lawrence Growden and Richard Peters, commissioners, and Benjamin Eastburn, surveyor, appointed to run, mark and lay out the provisional and temporary limits between Pennsylvania and Maryland in pursuance of his Majesty's order in Council, 25 May, 1738.

PUB. Pa. Arch., ser. 1, v. 1, p. 599.

ABST. These appeared before Gov. Thomas and swore that the reports annexed were true and the commissioners declare that the copy of the commission and the commissioners' minute book and of their proceedings have been compared with the original, now in their custody, and is a true and exact copy. Benjamin Eastburn further says that the map annexed is, to the best of his skill and judgment, a true representation of the several lines run by the commissioners.

Note. Hazard says (Pa. Arch., ser. 1, v. 1), these papers, 10 in all, came from England attached together in 1754, cf. 1734, Feb., Letter, Calvert to Sharpe, also 1734, report and map.

1741.

Aug. 18. Bill of expenses against Lord Baltimore. Commissions on Temporary Line. 12 p., signed Richard Peters.

Ms. Allen, Cat. Penn Papers, 1870, No. 51.
Ms. COPY. Certified by Peters and Hamilton, 1751.

1742.

June 17. Chancery. Penn vs. Baltimore. Order that Publication in this cause [Penn vs. Baltimore] be further Enlarged for a month. 1 p. fol.

July 13. Chancery. Penn vs. Baltimore. Order for enlarging publication 3 weeks, 1 p. fol.

Ms. Md. Hist. Soc., Calvert Papers, No. 345.

1742. Chancery. Penn vs. Baltimore. Long list of dates, facts, grants, books, papers, maps, etc., to be approved in the cause in London. This long series of documents, maps, books, etc., commences in 1606 and continued to 1740. Ms. 8 p., fol. 1742.

No. 106, Coleman, Catl. of Penn's Papers, 1870.
Pa. Hist. Soc., Penn MSS. Penn family, 1768, 1834.

1743. State of case between Baltimore and Penn with regard to his Lordship's boundaries as found amongst his Lordship's Papers. 4, pp. fol

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 536, 537, 538, 539, 540, 541, 542. To the great part of it there is no evidence remaining. Most of the evidence extant is stated *ex parte* in the Chancery Breviate.

ABST. History Virginia from 19 Aug. 1629 when Lord Baltimore petitioned Charles I. for new grant in Virginia. Lord Baltimore will defend his right granted in Charter.

June 2. Chancery. Penn vs. Baltimore. Deposition of Hugh Hammersely, John Sharp, respecting finding of Order of 1638.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 353.

ABST. Tell how they had tried to find the order but that it did not appear in the files until after the hearing in Chancery had been concluded.

1743.

June 3. Chancery. Penn vs. Baltimore. Affidavit of W. Rowlandson to the delivery of Notice of motion.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 354.

June 6. Chancery. Penn vs. Baltimore. Affidavit of F. J. Paris about postponements of hearing and the Order of 1638.

Ms. Copy. Md. Hist. Soc., Calvert Papers, Nos. 355-358. No. 355 attested.
Abst. Claims that Baltimore's counsel could have obtained copy of the order of 1638 at any time if they had so desired and that there are no grounds for postponement.

June 9. Chancery. Penn vs. Baltimore. Order for leave to exhibit interrogatories to examine witnesses to prove order in Council of 4 April, 1638, made on Claiborne's claim and on the order in Council. 1, p. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 359.

June 9. Defendant's interrogatories to prove copy of Order on Claiborne's claim in 1638, with the nature and authority of the book in which that order is entered, also a copy of the order of Council in 1696.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 366 (10 pp.).
Another copy No. 367 (3 p.).

June 9. Chancery. Penn vs. Baltimore. Breviate of additional depositions taken under the order of 9 June, 1743, with a copy of the Articles. 14 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, Nos. 360-364, 366.

June 9. Chancery. Penn vs. Baltimore. Defendant's interrogatories to prove copy of Order on Claiborne's claim in 1638, with the nature and authority of the book in which that order is entered, also a copy of the order of Council in 1696.

Ms. Copy. Md. Hist. Soc., Calvert Papers, Nos. 366, 367.

June 15 Chancery. Penn vs. Baltimore. Agreement of solicitors to enlarge time for taking testimony. 1 p. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, Nos. 368, 369.

Oct. 26. Notes of the argument made use of by the Attorney and Solicitor General and the Lord Chancellor on the former hearings of the cause in 1743. 3 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, Nos. 387, 388, 389.

Oct. 26. Notes of the argument made use of by the Lord Chancellor on the former hearing of this cause in 1743, with a copy of Governor Ogle's letter of 1 December, 1750. 3 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 390.

Oct. ? Chancery. Penn vs. Baltimore. Breviate. "Upon a bill to compell a specifick execution of Articles of Agreement entered into between the Partys for settling the Boundarys of the Province of Pensilvania, the Three Lower Countys, and the Province of Maryland, and for perpetuating Testimony, etc.

Ms. 116 pp., fol. with 2 maps. "Copy of Lord Baits. Own Plan, annexed to the articles of agreement (showing lines in red). Our map of the Places in Question proved in the cause by four surveyors; some of which are of other Provinces."
Ms. Copy. Cf. Allen, Catl. Penn Papers, 1870, No. 193.
Pub. For the Plaintiffs, London, 1743. 2 maps. Copy handsomely bound presented Phila. Liby. by Granville Penn. See No. 1624, Ridgway branch. Copies also in Md. Hist. Soc. and Pa. State Liby., Harvard Univ. Cf. Sabin. No. 34416, and Barlow Americana and No. 361.

1743.

PROOFS. Original rough corrected proof sheets accompanied by the Lord Baltimore map revised in 1732. Proofs endorsed by Attorney F. J. Paris. 'Foul first proofs,' 1743. Cf. Allen, Catl. Penn Papers, 1870, No. 166.

PUB. Pa. Arch., ser. 2, v. 16 (entire vol.), with two maps of the original.

1743/4.

Feb. 18. Letter. Governor Thomas Bladen to Lord Baltimore.

MS. ORIG. Md. Hist. Soc., Calvert Papers, No. 1102.
PUB. Md. Hist. Soc., Fund Pub. No. 34, pp. 97-100.

ABST. Glad to hear of success against Penns. Refers to Pennsylvania report that Agreement is void and that Baltimore pays 5000 pounds. This Baltimore says is not so.

Feb. 20. Letter. Benjamin Tasker to Charles, Lord Baltimore.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1103.
PUB. Md. Hist. Soc., Fund Pub. No. 34, pp. 100-101.

ABST. Congratulates Baltimore on victory over Penn. Believes Penn "has granted lands to a very great value since the year 1741."

1744.

Nov. 20. Letter. Benjamin Tasker to Lord Baltimore.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1127.
PUB. Md. Hist. Soc., Fund Pub. No. 34, pp. 114-115.

ABST. Refers to Pennsylvania encroachments near head of Chester on land of Mr. Sewall of Maryland.

1747. Chancery. Penn vs. Baltimore. Depositions on Plaintiff's part. pp. 44, 110.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 381.
Imperfect copies Nos. 382, 383, 384, 385.

Note. For analysis of these depositions see Pa. Arch., ser. 2, v. 16.

Chancery. Penn vs. Baltimore. Proofs for the Defendant. Andrew Hamilton, Samuel Steel and Samuel Logan.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 386.

ABST. Proofs to disqualify and impeach the credit of several persons who had been examined as witnesses on the part of the Plaintiff, and to prevent their depositions (?) being read as evidence.

Chancery. Penn vs. Baltimore. Abstract of exhibit for Defendant, Nos. 1, 2, 3, 4, 6, 7, 8, 9, 14 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1941/2.
EXHIBIT 3. Extracts of attested copies from Council Books.
EXHIBIT 4. 1672-1686. Abstracts of several grants on large tracts of land on west side Delaware River recorded in Record Books of Md.
EXHIBIT 6. Affidavits regarding printed copy of map.
EXHIBIT 7. Minutes of commissioners.
EXHIBIT 8. 1670-72. 22 certificates regarding surveys of land on seaside of Delaware Bay.
EXHIBIT 9. True copy of extracts from Secy's office in New York.

May 14. Chancery. Penn vs. Baltimore. Supplemental Bill and Bill of Reviser.

MS. COPIES. Md. Hist. Soc., Calvert Papers, Nos. 417, 418, 419, 420.

Note. 419 thoroughly annoted.

Nov. 7. Chancery. Penn vs. Baltimore. Several answers of Charles Calvert, Lord Baltimore, to the Bill of Revisor and Supplemental Bill of Thomas Penn and Richard Penn. 3 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 422.

ABST. Denies unnecessary delays and makes several claims, among others that the plaintiffs were not entitled to Three Lower Counties through John Penn's will.

Dec. 3. Letter. Governor Ogle to President Palmer.

PUB. Pa. Col. Rec., v. 5, pp. 187-188.

ABST. Introduces Capt. Chas. Higginbotham who claimed land north of Temporary Line under a Maryland grant and asks assistance of Pennsylvania in gaining possessions.

1747/8.
Jan. 23. Petition of Charles Higginbotham with a statement of his case.

PUB. Pa. Col. Rec., v. 5, pp. 190-191.

ABST. Claims title to 172 acres on north side of Codorus Creek under Maryland grants dated 5, May 1737.

Jan. 25. Letter. Richard Peters, Secy. Pennsylvania Council, to Charles Higginbotham.

PUB. Pa. Col. Rec., v. 5, pp. 191-192.

ABST. Appoint hearing for first Tuesday in April when Nichlas Perie the present possessor may state his side of the case.

Jan. 25. Letter. President Palmer to Governor Ogle.

PUB. Pa. Col. Rec., v. 5, p. 192.

ABST. Announces action taken and gives notice of hearing to be held in April.

1748.
April 5-6. Pennsylvania Council. Minute of Meeting.

PUB. Pa. Col. Rec.. v. 5, pp. 218-221.

ABST. Gives answer to Nicholas Perie, his grant from Pennsylvania dated 30 Oct. 1736, and Higginbotham's answer. Also testimony of Maryland surveyor.

April 11. Letter. President Palmer to Governor Ogle.

PUB. Pa. Col. Rec., v. 5, p. 225.

ABST. Find Higginbotham has never seen the land while Perie had had possession since before the Order of 25 May, 1738, therefore cannot dispossess him.

1748/9. Humble petition of Charles, Lord Baltimore in Kingdom of Ireland, absolute lord proprietor of Province of Maryland in America, to the Honorable the Commons of Great Britain in Parliament Assembled.

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 428, 429.

ABST. Reviews history of grant and prays House of Commons that he may be heard against the bill now before Commons involving prop. rights in America. Title of Bill—"For the Better enforcing of his Majesty's Orders & Instructions throughout the colonies & Plantations."

Jan. 10. Chancery. Penn vs. Baltimore. Notice to defendant of an examination of witnesses. 1 p. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 435, 436.

Feb. 10. Letter. Governor Ogle to Governor Hamilton.

PUB. Pa. Col. Rec., v. 5, pp. 382-383.

ABST. Complains against the service of a writ from Chester County on a tract of land south of the Temporary Line held under Maryland title.

Feb. 12. Letter. Thomas Penn to Governor Thomas.

MS. ORIG. Amer. Philos. Soc.

ABST. Lewis Evans and John Bartram to reconnoitre boundaries without surveyors about which he desires no time lost. Does not approve the persons Mr. Peters mentions to be sent.

Feb. 12. Letter. Thomas Penn to Governor Hamilton.

MS. ORIG. Amer. Philos. Soc.

ABST. Lord Baltimore tells him Ogle has been requested to unite in running the temporary line further west.

1748/9.

Feb. 21. Chancery. Penn vs. Baltimore. Defendant's instructions to oppose notice of motion. 8 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 426.
ABST. A history of grants made, etc., from 1680.

Feb. 26. Chancery. Penn vs. Baltimore. Petition of Lord Baltimore to Lord Chancellor to adjourn case till 1st day of cases after Easter. 1 p. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 350, 351, 437, 438.
ABST. Time asked for Plaintiffs to amend their bill and appoint new party. To insure the presence of Mr. Henley.

Mar 17. Pennsylvania Council. Minute of Meeting.

PUB. Pa. Col. Rec., v. 5, p. 377.
ABST. Decide that although Furney was shot by an Indian in Diggs' Patent, which was under Maryland jurisdiction, they would consult Attorney-General as to what they should do.

1749.

April 17. Letter. Governor Hamilton to Governor Ogle.

PUB. Pa. Col. Rec., v. 5, pp. 383-384.
ABST. Says he is looking into the case carefully and will write more fully later.

May 8. Chancery. Penn vs. Baltimore. Depositions on Plaintiffs. 45 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 431.
Paul Vaillant, p. 2-9, Int. 1. Charles Davis, p. 9-11. Int. 1. Peter Collinson, p. 18-26. Int. 2. John Lewis Hansen, p. 27. Int. 3.

May 15. Letter. Governor Hamilton to Governor Ogle.

Pa. Col. Rec., v. 5, pp. 384-387.
ABST. Thinks the facts show that the Pennsylvania officers were acting within their rights and sends documents to substantiate his position.

June 6. Letter. Thomas Penn to Governor Hamilton.

MS. ORIG. Amer. Philos. Soc.
ABST. Lord Baltimore favors extension of line westward but has now gone to France so that no directions have been sent. Is to propose at once to Ogle appointment of commissioners and surveyors for running in the plainest manner the line to Meridan of the first fountain only, and to set up a "crown" stone at that corner.

Sept. 23. Letter. Governor Hamilton to Governor Ogle.

PUB. Pa. Col. Rec., v. 5, pp. 421-422.
ABST. Believes that the Temporary Line should be extended to its western limit because of rapid development of the country. Suggests that Commissioners be appointed to extend the line to the meridian of the head of the Potomac.

Nov. 30. Letter. Governor Ogle to Governor Hamilton.

PUB. Pa. Col. Rec., v. 5, p. 422.
ABST. Ready to do what he can but line west of Susquehanna was run *ex parte* by Pennsylvania. Asks additional information before communicating with Lord Baltimore.

1749. MAP of Pensilvania, New Jersey, New Yorke and the three Delaware Counties: by Lewis Evans. MDCXLIX. L. Herbert Sculp. Engraved 19 x 25 in. Colored or uncolored. Including 38° 13′—43° 45′ N. Lat. and 73° 15′—78° 15′ W. Long

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 1044, 1045.
Pa. Hist. Soc., Penn MSS. Boundaries, cf. Coleman, Cat. Penn Papers, No. 273.

1749.

PUB. Phila., L. Evans, 1749 (Lib. Cong.)
Cincinnati Gazette, 1846.
Cf. Olden Times, v. 1, p. 333, July, 1846; Pa. Arch., ser. 3, Apx. maps.

Note. Shows circular boundary and temporary line. Temporary line run with variation of 5° 25' W. "This variation has decreased 1° in 18 or 20 yrs. in these Lat's for 70 years past." Endorsements regarding boundaries indicate use in law suit.

1750? Chancery. Penn vs. Baltimore. List of evidence for the plaintiff. 12 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 442.

1750? Chancery. Penn vs. Baltimore. Mr. Brown's Notes for his Intended Argument. 19 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 440, 441.

ABST. History of the settlement from 1632 when the King granted the land to Cecilius, Lord Baltimore.

1750? Chancery. Penn vs. Baltimore. Henly, Robert, opinions of, on Lines of three Lower Counties. 2 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 453.

ABST. Circle must be drawn 12 miles, but must be done by superficial measure. The 15 miles due South from Phila. can be measured by same. Point of Cape Henlopen not to be taken from any maps, but determined by best evidence possible. Disagreements should be settled by special report to court or chancellor.

1750. Amendments made by Plaintiffs to their Bill since the argument of the Defendant's Plea. 15 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 552, 553.

ABST. Since Old Bill entirely changed from fo. 495 this copy of the amended portion is forwarded to learn what amendments are proposed in Deft. plea.

1750. Chancery. Penn vs. Baltimore. Additional Brief of Penn. 4 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 439.

ABST. 1632 Md. Charter, Penn's Title History of the two Provinces from 1664.

1750? Observations by way of a Letter and Answer in relation to the Original Right. 17 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1140, 1141, 1142.

ABST. A Letter, 27 Mar. 1749, from gentleman in Pennsylvania to his friend in Maryland with some reasons why Northern boundary of Maryland cannot by any words in Charter to Lord Baltimore be extended to any part of 40° Latitude, but that it is limited by a line which is 39° Compleat from the equinotial Line. With a case stated and laid before Countcil relating to the construction of Lord Baltimore's Charter, and the opinion of Council thereon. Together with an answer to foregoing letter. With some arguments showing mistakes therein and proving that North Boundary of Maryland is and was intended to be a Parallel of Latitude or Line at the end of 40° or 40° Compleat from the equinotial Line.

For your Perusal in Order to the giving a joint opinion with the other Council at a Conference which is desired to be held with your first conveniency (as a ship is going in a few days for America) upon some doubts and difficultys which have arisen between the Comrs.

After careful review of the case questions are asked regarding
1. What manner are the 12 miles to be run superficially or horizontally, by mensuration.

1750.

2. Is southermost part of Phila. to be determined as the town was in 1732, or as in 1751 or at the time of laying out.
3. How can the point of beginning for the transpeninsular line be fixed if "Cape Henlopen is a district" as explained by the Chancellor?
4. If there are disagreements in laying out the line ought the Commissioners to stand out or give in on account of great expense.
5. Lord Baltimore and his Com. wishing to carry out the decree wish instructions so that "their proceedings may upon every occasion stand the strictest scrutiny of the Court."

1749/50.

Jan. 31. **Letter. Mr. Gregory, of Philadelphia, to Lord Baltimore.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1143.

ABST. Recommends man to whom Lord Baltimore should go for assistance in his case.

Feb. 7. **Letter. Governor Ogle to Governor Hamilton.**

PUB. Pa. Arch., ser. 1, v. 2, p. 40.
See ref. in Pa. Col. Rec., v. 5, p. 422.

ABST. Hopes line will be determined soon as Virginia and the Ohio Company are also interested in its extension west of Maryland.

Feb. 9. **Letter. William Parsons to Richard Peters.**

PUB. Pa. Arch., ser. 1, v. 2, p. 41.

ABST. Transmits all of the papers in his possession referring to the temporary line.

John Watson available as surveyor would never proceed from South to North on mid-peninsular line and would not begin until August. He must have two Indians for extending Temporary line.

Mar. 16. **Chancery. Penn vs. Baltimore. Petition of the Plaintiff on the Decree. 5 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 458, 459.

ABST. Petition that Circle round Newcastle ought to be 12 miles from center according to horizontal, not superficial measure. That 15 miles south of Phila. ought to be measured by same. That impartial commissioners be appointed. That High Chancellor give final decision on disputes.

May 7. **Chancery. Penn vs. Baltimore. Further evidence read for the plaintiff on Monday, 7 May.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 443.

ABST. 1, July 1731. Lord Baltimore's petition to Council.
2, January 1749/50, Writ of execution for Defendant to produce notes of Service of Writ of execution.
24, Nov. 1734. Parting minute.
8, Aug. 1734, Defendant's petition for confirming grant.
16, May 1735, Order postponing commission of this grant.
12, Apr. 1737, To show location of Newcastle produced in order to authenticate Dutch maps.

THE PENINSULAR LINE.

May 16. **Chancery. Penn vs. Baltimore. Decree of Lord Chancellor on Articles of 1732. 11 pp. fol.**

MS. ORIG.? 38 sheets of parchment, cf. Allen. Cat. Penn Papers, No. 133.
MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 444, 445.
Pa. Hist. Soc., Penn MSS.

ABST. Declares that the Articles are valid and should be executed, but said Articles do not bind any interest of the Crown or any land outside of the respective Grants. Commissioners be appointed. The center ought to be in the middle of Newcastle. Cape Henlopen should be taken as on Map annexed to Articles. May apply to court at any time.

Cf. Vesey, Rep., v. 1, pp. 444-456 and suppl
McMahon, Hist. Md., v. 1, p. 41.
Smith, Laws of Pa., v. 2, p. 135.
Scharf, Hist. Md., p. 407.

1750.

May 15. Chancery. Penn vs. Batimore. Notes of the Lord Chancellor's argument on his pronouncing his Decree in the Cause for Establishing the articles of Agreement of 10 May, 1732. 7 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 446.

Abst. The Relief prayed for is a Common Ordinary Relief and must be given, unless sufficient objections are made. Proves that the Court must have judged the agreement and manner of Performing it. That the Agreement was not voluntary. Great national advantages should be considered, not little minute advantages. Lord Chancellor decrees a Specific Performance of the articles with the costs of suit to be paid to the Plaintiffs.

Note. For early outline of this decree see: Map, Mitchell, 1755.

May 20. Letter. Governor Ogle to Governor Hamilton.

Pub. Pa. Arch., ser. 1, v. 2, p. 46.

Abst. Thinks it unnecessary to go to the expense of appointing commissioners to settle the boundary at present because Governor of Virginia [Dinwiddie] has requested appointment of commissioners. Protests against running of *ex parte* line to five degrees of long. as Virginia may object.

Note. Read to Pa. Council, July 31.

May. Chancery. Penn vs. Baltimore. Copy of minutes on hearing. 8vo. 15 pp. n. t. p.

Pub. Vesey Senate reports, pp. 444-456.
See also McMahon, Hist. Md., v. 1, p. 41.
Smith, Laws of Pa. Learned. Note, v. 2, p. 135.

Abst. Summary of proceedings in Chancery and decree by Lord Hardwicke as to specific performance of agreement of 1732, position of true Cape Henlopen, etc. The decree covers 38 parchments 22"x28" and the whole contains nearly 2,000 lines of writing.

June 26. Chancery. Penn vs. Baltimore. Penn's solicitors proposed alterations to the Draft. 2 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 447.

Abst. List of words to be inserted or left out.

June 28. Commission for running the Boundary Lines pursuant to the Decree.

Ms. Copies. Md. Hist. Soc., Calvert Papers, Nos. 153, 447½ (6 p. fol.), 448 (5 pp. fol.).

Abst. Both parties agree—
1. That Draught on margin of Agreement is true one.
2. That 12 miles should be 12 English statute miles.
3. That line be run across Peninsula.
4. That in exact middle of line a straight line be run North.
5. That at the North End a line be run within 15 English statute miles South of Philadelphia.
6. That a Due East & West line be run.

Cf. McMahon, Hist. of Md., v. 1, p. 42, footnote.

June 30. Draft of the Commissions prepared for Mr. Penn to authorize Commissioners to run the Boundary Lines pursuant to the Decree. 5 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 449.

Note. Same as Calvert Papers, No. 447½.

An account of the question in dispute between Lord Baltimore and Penns, with a map of Maryland, Pennsylvania, Virginia and New Jersey.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 1049.

Abst. By Grant of Charles II to Mr. Penn, Pennsylvania was to extend south as far as beginning of 2nd Isthmus and Bay, except Newcastle. Questions whether Lord Baltimore can claim land N. of Peninsula and Delaware and Chesapeake Bays, now settled over 70 years. Questions whether alteration of Latitudes is of consequence.

1750.

July 27. Letter. Mr. P. Gregory to Lord Baltimore.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1144.

ABST. Answers Lord Baltimore that he has power to make the Decree in favor of Plaintiffs of very short duration. Advises him never to give *his own release.*

Aug. 4. Letter. Mr. P. Gregory to Lord Baltimore.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1145.

ABST. Recommends to Lord Baltimore Mr. Taylor who can explain what has before been asserted and proven about rights to 3 Lower Counties.

1750. MAP. John Watson. "Plan of the town of Newcastle as made by Mr. Emory and other surveyors on the part of Lord Baltimore in the presence and by the direction of Messrs. Malcom and Leeds, mathematicians employed by His Lordship's commissioners on the 16th and 17th day of November, 1750."

"I also made a plan of said survey in which was pricked off the place in which the courthouse [of Newcastle] stood as taken down in the notes, as the center of said town in respect of east and west, and north and south, and found the same about 9.6 P to the northward of the courthouse and one 1.25 P to the westward; which plan was presented to our commissioners with this title [see title as given above]. This title was drawn by Wm. Parsons, a very ingenious gentleman." Cf. John Watson's diary, Nov. 17, 1750; in Pa. Hist. Soc.

"In the plan of the survey presented to our commissioners by the Maryland surveyors, they only made a point in the plan which was found to be destined for the situation of the courthouse."

"The point in the Maryland plan mentioned in these before and supposed destined to represent the situation of the courthouse was since discovered to be intended for the center of gravity of the town of Newcastle, which, it seems, the Maryland commissioners and mathematicians attempted to find in this ridiculous manner, viz.: Having made an exact plan of the survey of the Town upon a piece of paper, they carefully pared away the edges of the drought until no more than the drought was left, when sticking a pin through it, they suspended it thereby in different places until they found a place whereby it might be suspended horizontally which point or place they accepted as the center of gravity."
John Watson's diary, Nov. 22, 1750.

Nov. 24. Proceedings of Commissioners of 1750. "Penn agst. Balt. Papers and minutes of the comrs. proceedings from 15 to 24 Nov., 1750, inclusive."

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 450.
Pa. Hist. Soc., Penn MSS. "Boundaries," pp. 51, 52. (Incomplete.)
Cf. McMahon, Hist. Md., v. 1, p. 42, footnote.

ABST. Commissioners for 1750. Messrs. Benedict Calvert, Edmund Jennings, Robert Henry and John Ross, for Maryland; William Allen, Thomas Hopkinson, Richard Peters, Thomas Cookson, Ryves Holt, Benjamin Chew and Tench Francis, for Pennsylvania.

Nov. 24. Chancery. Penn vs. Baltimore. State of the Commissioner's Proceedings under the Decree of the case of Penn vs. Baltimore. 12 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 452.

Nov. 24. Letter. Governor Hamilton to President Benjamin Tasker.

PUB. Pa. Col. Rec., v. 5, pp. 586-589.

ABST. Argues that right of jurisdiction has not been proven.

Dec. 23. Unsigned Letter [probably from Governor Hamilton or Richard Peters to the Penns]. 2 p. fol.

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 64.

ABST. "When the commissioners parted at Newcastle we were all of the opinion the matters should first be settled by the proprietors. We consented to give them one open instruction, viz., to run a true north line, and if they could not recover their true north meridian to leave off and make return of their proceedings to us."

1751. **Field notes of the surveyors employed to run the Transpeninsular line in 1751. 40 pp.**

MS. ORIG. Gilmor, Md. Papers, v. 2, Div. 3, No. 1.
PUB. Md. Hist. Soc., Misc. Pub.

1751. **A very interesting official certified document relative to the boundaries of the Chesapeake river, signed by John Meakins and Nicholas Ridley, Esq., a magistrate for the county of Kent, with seal of that county. 1751. 4 p. fol.**

Cf. Coleman, Cat. Penn Papers, No. 6.

1751. **Reasons by Lord Baltimore's mathematician for a superficial measure if that measure is found for Lord Baltimore's advantage. 2 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 454.

1750/1. Jan. 25. **Bill. John Watson. In MSS. book containing drafts of surveys.**

MS. ORIG. In possession of Mrs. Isabella T. Watson, Doylestown, Pa., widow of Judge Richard W. Watson. Surveyor Watson was a cousin of Judge Watson's grandfather.

ABST. "25th Jan. 1750/1 Dr., The Honble. Propt. of Pennsylvania, to John Watson, Jr. To my attendance on Wm. Parsons in running the line between the propn. Penn and Baltimore from 13th Decmr. last to the 25th instant, in all 43 days, at 15s per diem (£32-5-0) Received of Richard Hockley the full contents of above amount. John Watson, Junr."

Feb. 23. **Letter from Gov. Sharpe to Mr. Jennings. 7 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1146.

ABST. His opinion abount running lines of 3 Lower Counties.
1st. Approves of superficial not horizontal line in measuring line 12 miles from Newcastle.
2nd. Same measurements must be used in running the 15 mile line from southermost part of Philadelphia.
3rd. Find exact point of Cape Henlopen by surveying the two extremities of the Cape and then finding the exact center of the line between the extremities of the Cape.

Mar. 1. **Chancery. Penn vs. Baltimore. Depositions of Martin Fokes, Peter Davall, John Robertson in regard to Agreement of 1732. 15 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 455.

ABST. Depose that according to agreement there shall be the circle mentioned in chapter. There shall be horizontal measure used. The circle shall be marked at 12 miles from Newcastle according to horizontal lines.

Mar. 17. **John Watson [Diary]. 13 Nov., 1750—17 March, 1751. 116 p. D.**

MS. ORIG. Pa. Hist. Soc., Gilpin MSS.
See Johnson, Hist. Cecil Co., p. 303.
Ashmead, Hist. Del. Co., p. 19.

ABST. Presented by the late Wm. D. Gilpin, of Philadelphia. Found among some old papers at his paper-mill in 1841 at Wilmington, Del., by Thos. Gilpin.

Mar. 19. **Chancery. Penn vs. Baltimore. Affidavit of Ferd John Paris concerning commission under decree. 17 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 460.

ABST. Complains of retention of Ross and Edmunds and the failure of Dep. Governor of Maryland to appoint new commissioners.

1750/1.
Mar. 22. Chancery. Penn vs. Baltimore. Affidavit of John Browning and Hugh Hamersly. 26 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 461.
Copy of same 4 pp. fol. Calvert Papers, No. 462.
Copy of same 4 pp. fol. Calvert Papers, No. 463.

ABST. Hamersley drew up Draft & delivered it to Plaintiff's Solicitor who signed it. Entirely new list of commissioners named. Draft of Com. executed on 28 June. Dispute about name of Jennings & Ross as Commissioners. Commissioners instructed to adhere to Decree.

1751.
Mar. 27. Chancery. Penn vs. Baltimore. Petition of Baltimore's Solicitor. 2 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 464.

Note. Petition adjourned till 29 March in order that the Defendant might be consulted.

Mar. 29. Chancery. Penn vs. Baltimore. Order of Lord Chancellor for Commissioners to run the lines horizontally and not superficially. 26 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 466.

ABST. Recites former orders and decides that measurements should be according to horizontal not superficial lines. Costs to be divided same as of Decree.

April 12. Agreement between Lord Baltimore and Abraham Taylor in reference to evidence to be furnished. [Parchment.]

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 154.

April 22. Proceedings in April, 1751, of the Commissioners for running the line between Maryland and Pennsylvania agreeing to run the due west line across the Peninsula.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 467, 20 pp. fol.
Pa. Hist. Soc., Penn MSS. "Boundaries," p. 52, 9 pp. fol., attested, Phila., 30 May, 1751, by R. Peters.
See also McMahon, Hist. Md., v. 1, p. 43.
Cf. Coleman, Cat. Penn Papers, No. 52.

ABST. Dispute as to where Cape Henlopen is and where to begin the line. Finally agreed to begin line from "Cape Henlopen" which is a point on the verge of the main ocean 139 perches due east from a stone fixed by Commissioners on northern part of Fenwick's Island and run across Peninsula to Bay of Chesapeake. Adjourned from 29 April to 20 June 1751 in order for Surveyors to run that Line.

Note. All these meetings held at or near Fenwick's Island, 23-29 April.

April 29. Directions of Joint Commissioners to Joint Surveyors to run east and west line across the Peninsula. 2 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 471 (same as 1st part Calvert Papers, 469, 15 June).

May 4. Case of Lord Baltimore's will with Mr. Jedrell's opinion. 3 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 472.

ABST. Mr. Jedrell thinks Lord Baltimore had no power to devise the Province of Maryland away from the present Lord.

May 4. Case of Lord Batimore's will. With opinion of Mr. Wilbraham. 4 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 473.
See also Md. Hist. Soc., Calvert Papers, Nos. 475-488 on same subject.

1751.

May 19. Letter. William Parsons to Richard Peters, Esqr. "The latter part of the surveyors journal and the commrs. approbacon." 2 p. fol.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 53.

ABST. Reporting the difficulties encountered in running the transpeninsular line through the Pocomoke Swamp, the stones set up, the men employed and the further distance to Chesapeake bay. 19 May 1751. "From Mount Comfort near Mr. George Hearn's, between Broad Creek and Pocomoke River." Preceded by a journal of surveyor's proceedings for one day, 7th May 1751 (evidently end page of their journal for a given period.)

June 15. Journal of John Emory & Thomas Jones, containing instructions to surveyors. 20 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 469, 470 (incomplete, 4 pp fol.)

ABST. Gives an account of the running of the transpeninsular line.

June 15. MAP. John Emory and William Killen. MSS. map of Taylor's and James' Island, Dorchester County, Maryland. 21 x 37 in. Scale: 1 in.=200 perches.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1047 (parchment).
Pa. Hist. Soc., Penn MSS. "Boundaries," p. 57.
Cf. Coleman, Cat. Penn Papers, No. 35.

Note. "And for the better information of the Court [Lord High Chancellor] on this point [as to the termination of the east and west line of the Chesapeake] it is further agreed by the commissioners that such a general survey or plan shall be taken of Taylor's island, James island, Hills point and the land of other islands, near the same, together with the waters surrounding them as may be proper for the purpose; and that John Emory, on the part of Lord Baltimore, and Wm. Killen, on the part of the proprietors of Pennsylvania are hereby appointed by the said commissioners to make such survey and plan, copies whereof are to be delivered to the commissioners of each side as soon as conveniently may be." 14 June 1751. Minutes of Comm.

June 15. Journal of Survey of trans-peninsular line, 17 May-12 June 1751. With the approval of the commissioners on the 14th June, 1751, at Mrs. Pollard's and order that they be incorporated in their [commissioners] minutes. A supplementary journal for completing the line to Chesapeake bay, June 14 and 15 and second approval of commissioners 15 June, 1751 at Mr. Travers. Endorsed 3rd December 1757: "Examined with the original transcript under seal by us. Jno. Towse, Rich. Gilbert." 18 pp. fol. Text 8 p.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," pp. 54-56.
Cf. Journal of John Emory above.

June 17. Commissioners of 1751. Minutes of Proceedings at Mr. Pollard's, in Dorchester County, 14th to 17th June, 1751. 4 p. fol.
Endorsed at end, "A true copy, Richard Peters." "14, 15 and 17 June, 1751. Copy of the Commrs. minutes abo. the west line."

MS. COPY. Penn Hist. Soc., Penn MSS. "Boundaries," p. 57.
Cf. Coleman, Cat. Penn Papers, No. 95.

June 17. Minutes of the Commissioners for running Lines between Maryland and Pennsylvania at Cape Henlopen, with a copy of the Commissioners' minutes about the west Line, as received from Messrs. Penn. For Attorney General's Perusal in order that Lord Baltimore may have an opportunity of Discovering line thereon for which purpose his Lordship will with Attorney General's consent wait upon him. 9 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 468.
PUB. McMahon, Hist. Md., v. 1, p. 43.

1752. Original Map used in Penn vs. Baltimore suit and endorsed "A little Hand map or Scheme to shew roughly how the two Provinces (Pa. and Md.) lye to each other," 1752.

MS. ORIG. Pa. Hist. Soc., Penn MSS.
Allen, Amer. Curiosa, No. 327.
Coleman, Cat., Penn Papers, No. 31.
Cf. Map with Breviate, 1743.

March 28. Letter. William Parsons 28 March 1752 [to Richard Peters or Thomas Penn].

PUB. Pa. Arch., ser. 2, v. 7, p. 240.

ABST. Observations on Mr. Jack's letter concerning the method of running the circle about Newcastle, etc.

April 16. Letter. President Benjamin Tasker to Governor Hamilton.

PUB. Pa. Col. Rec., v. 5, p. 582.

ABST. Asks that Martin Kitzmiller and family who had murdered Dudly Digges in territory under Maryland jurisdiction be turned over to him for trial.

April 24. Letter. Governor Hamilton to President Benjamin Tasker.

PUB. Pa. Col. Rec., v. 5, pp. 582-583.

ABST. Questions the jurisdiction of Maryland and asks for evidence in proof of claim.

May 5. Letter. President Benjamin Tasker to Governor Hamilton.

PUB. Pa. Col. Rec., v. 5, pp. 583-586.

ABST. Enclosed depositions of John Lemmon and Robert Owings to prove that the crime was committed under Maryland jurisdiction.

May 15. Letter. Cecilius Calvert to Governor Ogle.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1147.
PUB. Md. Hist. Soc., Fund Pub., No. 34, pp. 124-132.

ABST. North part of Delaware Bay was by charter intended to be North part of Boundary of Maryland. Asked to state wherein the Penns over reached the late Lord Baltimore, in Agreement of 1732. Apparently holds that Talbot line was about right and that contentions were due to observations of 1714 showing 40° to be higher than supposed.

May 15. Letter. Cecilius Calvert to Edmund Jennings.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1147.
PUB. Md. Hist. Soc., Fund Pub., No. 34, pp. 132-139.

ABST. Gives a succinct history of boundary controversy, especially since 1732 and asks for advice on what the proper lines should be. Regards agreement of 1732 as weak and says Mr. Paris is afraid old agreement is void.

May 28. Letter. Sharpe to Mr. Penn. 4 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1150.

ABST. Tells what passed between the Mr. Speaker and Mr. Penn. Mr. Penn wanted to urge his suit immediately and Mr. Speaker advised that he wait till Lord Baltimore was of age. Both anxious for friendly relations to be restored.

June 30. Petition of Penns to King about Commissioners. 3 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 488.

ABST. Ask that King appoint proper persons to join with Penn's Commissioners to ascertain boundary line of Pennsylvania. [Deals with Northern boundary in part].

1752.
July 30. **Letter. President Benjamin Tasker to Governor Hamilton.**

PUB. Pa. Col. Rec., v. 5, pp. 589-596.

ABST. Reviews question of jurisdiction over Digges Tract enclosing deposition of John Logsdon. This is followed pp. 594-596, by the minutes of the Pennsylvania Council on the case and by the following letter of Governor Hamilton (Sept. 28).

Sept. 14. **Letter. Edmund Jennings to Cecilius Calvert. 22 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1151.

ABST. A summary of the Mutual Pretensions and Proceedings in relations to the Boundary of Maryland and Pennsylvania and 3 Lower Counties.

Sept. 28. **Letter. Governor Hamilton to President Benjamin Tasker.**

PUB. Pa. Col. Rec., v. 5, p. 596.

ABST. Announces that the Kitzmillers will be tried at York in October and that the Maryland authorities may present their claims to jurisdiction to the court.

1752. **Petition of Lord Baltimore, to oblige Penn to join in ascertaining the Boundary. 3 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 297½.

July 9. **Letter. Cecilius Calvert to Benjamin Tasker.**

MS. ORIG. Md. Hist. Soc., Calvert Papers, No. 1147.
PUB. Md. Hist. Soc., Fund Pub., No. 34, pp. 147-161.

ABST. Refers to enclosed copy of Messrs. Penn's petition to the King in Council concerning the South Bounds of Pensilvania to which the guardians of Lord Baltimore had filed a caveat before the Lords of Trades and Plantations.

July 9. **Letter. Cecilius Calvert to Edmund Jennings.**

MS. ORIG. Md. Hist. Soc., Calvert Papers, No. 1147.
PUB. Md. Hist. Soc., Fund Pub., No. 34, p. 163.

ABST. Contains additional thoughts concerning the Boundaries. Encloses a copy of Penn's petition. [See Guard Book for copy of petition.]

Nov. **Brief on 2 Petitions of Messrs. Penn and The Guardians of the Right Hon Honble Frederick Lord Baltimore an Infant, For the Guardians in support of their petition. 22 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 489, 490, 491, 492.

"To be heard before the Lords Comrs for Trade and Plantations on Thursda 9th Novb. 1752 between 11 and 12 o'clock in the forenoon."

ABST. Frederick Lord Baltimore's guardians petition that the discussion of boundary lines between Maryland and Pennsylvania be postponed till Lord Baltimore is of age. They criticise the bringing of Penn's petition for a boundary commission at this time and complain of the omission of all reference to Lord Baltimore's interest in the question.

1753.
Mar. 22. **Petition of Penn. 3 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 456.

ABST. Center of circle ought to be fixed in the middle of Newcastle and that it be of a radius of 12 miles. Henlopen should be located as on the maps attached to articles.

Mar. 22. **Instructions to oppose Petition of Penns.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 457, 14 pp. fol.

May 1. **Chancery. Penn vs. Baltimore. Instructions for a Conference with the Speaker on 1, May 1753. In affairs of Lord Baltimore & Messrs. Penn. 1 p. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 496, 497, 498.

ABST. The questions considered were wther the former agreement still held; whether the Penns had claim to £5,000, what should be proposed or inserted in new agreement and whether Baltimore better petition separately or with Penns for a settlement of the boundaries.

1753.

May 3. **Proposal from C. Calvert to Thomas Penn. 1 p. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 498½.

ABST. Frederick, Lord Baltimore, free from any obligations arising from his Father's Articles, in consideration of a line across Peninsula, called Cape Cornelius, consents that the residue (?) of the Boundary stand as in the Articles. The proposal is made without prejudice to rights of original grant.

June 19. **Petition. Frederick, Lord Baltimore. "To the King's Most Excellent Majesty in Council." 6 pp. text 4 p. fol.**

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 58.
Md. Hist. Soc., Calvert Papers, No. 5.

ABST. Recites history of contention and desires to join in a commission to settle boundaries of Pennsylvania but wants no order passed without a hearing and desires King to select commissioners in America to join with those of Md. and Pa.

Note. Referred to Council, July 19 and by Council to Board of Trade, July 26.

June 21. **Chancery. Penn vs. Baltimore. Further instructions in affairs of Penn & Baltimore. For the petitioner Baltimore. 6 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 499, 500.
Cf. Latrobe, p. 24 (somewhat different title). Md. Land Office.

ABST. Council reviews the recent steps in the controversy and prepares a petition for Frederick Lord Baltimore, who is now of age, asking in case a commission is appointed as a result of the Penns' petition that he may have a representative on the commission.

July 26. **Order. Royal Council to Board of Trade.**

MS. COPY. Pa, Hist. Soc., Penn MSS. "Boundaries."

ABST. Transmits petition of Lord Baltimore (copy of which is annexed referred to them by His Majesty) to the Lords Commissioners for Trade and Plantations, to whom the petition of the proprietaries of Pennsylvania has been referred, and to report to this Committee at the Council Chamber, Whitehall, 26 July, 1753, 14 pp. Fol.

Note. Endorsed "Referred to the Comtee 19 July, 1753. Referred to the Bd. of Trade 26 July, 1753. Got out this cop. 30 Novr., 1753, from Board of Trade, Paris."

Aug. 15. **Instructions of Lord Baltimore to Governor Sharpe to ascertain the state of the northern boundaries of the province either "horizontal or wheel measurement" and how far north of the said "circle [of Newcastle] may be a good and reasonable north boundary of Maryland."**

MS. COPY. Md. Hist. Soc. in Proc. Maryland Provincial Council, August 15, 1753, Liber J. R. and U. S., p. 11.

ABST. The Board deem it prerequisite to an answer of his lordship's question "to have a due north line run by the compass . . . by which this Board will be better able to consider . . . its intersection with any east or west line which may be intended for a north boundary to this province."

Aug. 18. **Letter. Chas. Calvert to J. Sharpe.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 831½, incomplete.

ABST. A succinct account of the chancery case with a clear statement of the main facts of the controversy.

Aug. 20. **Letter. Gov. Horatio Sharpe to Cecilius Calvert.**

MS. COPY. Md. Hist. Soc., Sharpe Letterbook I, pp. 1-3.
PUB. Md. Arch., v. 6, pp. 1-3.

ABST. Refers to Article of private instructions regarding boundary controversy, discusses question and refers to a line north from the Middle point run secretly by Mr. Emery, also discusses western boundary.

1753.
Sept. 12. **Resolution of Maryland Provincial Council relating to boundaries.**

MS. COPY. Md. Hist. Soc., Sharpe Letterbook I, p. 6.
PUB. Md. Arch., v. 6, p. 6.
ABST. Do not wish to advise except for a due North line from Middle point. Suggests observation of latitude at northern bend of Potomac.

Sept. 14. **Letter. Gov. Sharpe to Caecilius Calvert.**

MS. COPY. Md. Hist. Soc., Sharpe Letterbook I, pp. 3-6.
PUB. Md. Arch., v. 6, pp. 5-6.
ABST. Refers to Mr. Emery's report that the north line run by him does nor cut any of the heads of westward flowing streams and passes east of Warwick. Encloses resolution of Council.

Oct. 20. **Letter. Lewis Evans to Governor Sharpe.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1050.
ABST. Recites Historical Facts and gives authorities for his facts. Discusses State of American affairs when Charter of Maryland was granted. Northern Boundaries of Maryland and Southern Pennsylvania. What is gained or lost by Proprietors if Articles of Agreement take place: Delaware Counties; Map attached showing divisions made by Articles of Agreement, and Deeds of Duke of York.

1753?
Nov. **Petition of Thomas and Richard Penn to the Honorable the Lords and Commons of Great Britain in Parliament assembled relative to the long dispute between themselves and Lord Baltimore. 2 large pp. fol. Sigs., Thomas and Richard Penn.**

Cf. Coleman, Cat. Penn Papers, No. 143.

Nov. 20. **Summons from the Board of Trade on Lord Baltimore's petition to run Boundaries with the King's Commissioners. 4 pp. text 1 p. F.**

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 60.
ABST. The petition of Lord Baltimore having been referred to the Lord Commissioners for Trade and Plantations, in which petition he prayed that disinterested persons may be appointed to join with other persons to be named by the proprietors for running and marking the limits of the provinces, he is directed by their lordships to request that Mr. Paris will attend their lordships with Lord Baltimore's agent in order to agree upon the date for a hearing.
Note. Sent to the Penn's attorney, F. J. Paris.

Nov. 28. **Petition of Penn to the King to have line run under the decree.**

MS. COPIES. Md. Hist. Soc., Calvert Papers, Nos. 511-514, 4 copies.
ABST. "Left at Mr. Hamersley's house by Mr. Paris 28 Nov. 1753." Recites agreement of 1732 and decree of 1750; asks for commissioners to define Boundary.

Nov. 29. **Letter. Governor Sharpe to Cecilius Calvert.**

MS. COPY. Md. Hist. Soc., Sharpe Letterbook I, pp. 9-16.
PUB. Md. Arch., v. 6, pp. 12-15.
ABST. Refers to retaining Mr. Evans of Philadelphia to find evidence in New York and to the grant to the Duke of York obtained 22 March 1682/3 which he thinks was obtained secretly.

Dec. 19. **Maryland Council. Proceedings.**

MS. ORIG. Md. Council Proc., Liber J. R. & U. S., 1753-1767, p. 17.
ABST. Upon information that certain persons are taking up land on the Eastern Shore under Pennsylvanian warrants the Board deems that encouragement should be given to such persons to take up the same lands under Maryland warrants.

1753. **Memorandum of W. Sharpe, secretary to Lords Commissioners of Council on Plantation Affairs, referring to the Lods Commissioners for Trade and Plantations the petition of Lord Baltimore of 19 July 1753. 14 pp. text. 12 p. fol.**

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 59.

1754? **Observations & Material Circumstances relating to Lord Baltimore's claims of his Province of Maryland unto the Dgree of 40th Northerly Latitude compleat. The Nature thereof Divulged [?] by the Messrs. Penn, Proprietors of Penna. His Lordship's Adversaries who contend for a Line of 40° at or about Newcastle Town according to Smith's Mapp as is pretended. 6 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 543.

1754? **Observations. 1 p. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 544.

ABST. By grant of Maryland Southern Boundary is Line from Watkins Point to Ocean; Northern is where New England is bounded. In 1635 Lord Baltimore claimed all the Peninsula except that part below Watkins Point according to words of his grant. Degrees of latitude laid down in 1606, 1635, have been same from first settlement of Virginia.

1754. MAP. **Col. Thomas Cresap's Sources of the Potomac [1754]. Sc. 1 in.—25 mi.**

MS. COPY. Md. Hist. Soc., Sharpe Letter-book, v. 1, p. 72, Ms. drawing of Cresap's Survey sent in letter to Gov. Sharpe of Md.
REPROD. In Browne and Ritchie Rept. of Committee on the Western boundary of Maryland. Apx. D.
Md. Hist. Soc., Fund Pub., No. 29.

Note. Shows Temporary Line [of 1739-40] dotted about 8 miles south but parallel with 40° N.

Jan. 5. **Letter. Cecilius Calvert to Governor Sharpe.**

MS. ORIG. Md. Hist. Soc., Calvert Papers, No. 515.
PUB. Md. Arch., v. 6, pp. 17-32.

Note. A detailed discussion of many points showing the uncertainty of geographic knowledge in England, the fact that Calvert had received legal opinions adverse to his title to land north of the Delaware peninsula with an argument against these opinions. "On tryal the opinion of the Court of Chancery determined not the *Crown's Right* of the *40th Degree Lat*: nor *Cape Hinlopen* nor concerng the 3 *Lower Counties* the *Division Line of the East Shore*, the Court determined only the Private *Articles of Agreemt* bet: the late *Lord & the Messrs. Penn*. Hopeless of a compromise Calvert advises Sharpe to observe carefully the Order of 1738 regarding the Temporary Line.

Jan. 21. **Votes of the House of Commons. 11, pp. (printed).**

MS. Md. Hist. Soc., Calvert Papers, No. 518. pp. 122-124.

ABST. Petition of Fred. Calvert to King "for leave to apply to Parliament an Act to enable him to bar the Entails subsisting upon Province of Md." King consents that House may do as they shall think fit. Mr. Grenville, and Lord Hillsborough, and Lord Barrington ordered to bring in the Bill. The bearing of this question may be seen: cf. Md. Hist. Soc., Fund Pub. No. 34, p. 122.

Feb. 2. **Letter. Cecilius Calvert to Governor Sharpe.**

MS. ORIG. Md. Hist. Soc., Portfolio 4, No. 33.
PUB. Md. Arch., v. 6, pp. 34-36.

ABST. Tells of receipt of Report of Pennsylvania Commissioners who ran Temporary Line and asks that the report of the Maryland Commissioners be forwarded with an opinion as to the correctness of the line west of the Susquehanna which had been run *ex parte*.
Cf. Depositions, Apr. 30, 1740.

April 17. **Letter. Cecilius Calvert to Governor Sharpe.**

MS. ORIG. Md. Hist. Soc., Portfolio 4, No. 33.
PUB. Md. Arch., v. 6, pp. 44-51.

ABST. Tis admitted in the Pleadings of the Cause that the Duke of York had no Right to transfer to Penns; and it was also admitted the Deeds Feoffment Grant by the Duke of York to the Penns were not Valid, by reason no Proof was produced of the Crown's conferring the same . . ."

1754.

May 2. **Letter. Governor Sharpe to Lord Baltimore.**

MS. COPY. Md. Hist. Soc., Sharpe Letterbook I, pp. 26-34.
PUB. Md. Arch., v. 6, pp. 53-57.

ABST. Refers to a history of the early settlements on the Delaware which he has had compiled [by Mr. Evans] from the New York records and also to a conflict in evidence regarding the rights in the Diggs case.

May 3. **Letter. Governor Sharpe to Cecilius Calvert.**

MS. COPY. Md. Hist. Soc., Sharpe Letterbook I, pp. 35-65.
PUB. Md. Arch., v. 6, pp. 57-65.

ABST. Paid £126 for services and expenses of Lewis Evans who worked up geographical and historical evidence. Gives succinct statement of Diggs case. Refers to sending Mr. Emery to test the effect of lines from Indian river to Choptank and Mr. Veazey to examine the distance and bearings of the several rivers with respect to Newcastle. Suggests an irregular line from Indian river so as to clear Nanticoke, thence from a Middle point northward to the head of the easternmost river flowing into the Chesapeake and thence a tangent to the New Castle Circle.

June 6. **Letter. Governor Sharpe to Cecilius Calvert.**

MS. COPY. Md. Hist. Soc., Sharpe Letterbook I, pp. 52-56.
PUB. Md. Arch., v. 6, pp. 69-72.

ABST. Reports the Choptank lies south of the position assigned to it on Emery's map. Transmits numerous old records to be used in evidence.

Aug. 8. **Letter. Governor Sharpe to Cecilius Calvert.**

MS. COPY. Md. Hist. Soc., Sharpe Letterbook I, pp. 59-79.
PUB. Md. Arch., v. 6, pp. 82-93.

ABST. Explains why Evans was employed to secure evidence. The Council after a consideration of Emery's maps recommend that the boundary "Be a due East & West Line run as in Emory's map across the Peninsula from Indian River & from a Point of such Line two Furlongs (or more as can be agreed) eastward of the North East Fork of Nanticoke where it is intersected by said East & West line, let a Line be run North or North two Degrees West at farthest (variation being allowed for) till it touches Newcastle Circil & if Messrs. Penns refuse to have such Line (being a Second of the Circle) continued direct northward as a Boundary . . . . Let a due North line be run from the Extremity of a Newcastle 12 Mile Radius to the present temporary Line or any other Line that may be agreed on."

Nov. 8. **Chancery. Penn vs. Baltimore. Penn's Bill against Lord Baltimore & Orders thereon.**

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 531, 532.
Md. Hist. Soc., Calvert Papers, No. 551, annotated.

ABST. Amended by Order dated 16 May, 1755.

Dec. 10. **Letter. Cecilius Calvert to Edward Lloyd.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1169.
PUB. Md. Hist. Soc., Fund Pub., No. 34, pp. 179-186.

ABST. Orders Surveyors to be careful of His Majesty's orders in Council concerning the Temporary Line, not to transgress it.

Dec. 10. **Letter. Cecilius Calvert to Governor Sharpe.**

MS. ORIG. Md. Hist. Soc., Calvert Papers, No. 535.
PUB. Md. Arch., v. 6, pp. 128-136.

ABST. Says Evans extracts are of no use otherwise Gov. Sharpe's efforts seem to be approved.

1755.

Feb. 13. **Map of the British and French dominions in North America with the roads, distances, limits and extent of the settlements: John Mitchell, Thos. Kitchin. Sc. Lond. Printed for Jefferys and Faden, 40x72 in.**

Copies in Md. Hist. Soc. and Lib. Cong.
REPUB. In part in Rept. of Va.-Md. boundary, 1872.

1755.

Note. "The bounds of Pennsylvania and Maryland and Delaware counties are here laid down according to the late decree in chancery; which is not supposed otherwise to affect the claims of any." This note of Mitchell is reproduced in many subsequent foreign maps.

Mar. Chancery. Penn vs. Baltimore. Notice to attend Conference at Mr. Henley's on 17 March, 1755. 1, p. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 548.
ABST. Defendant's claim to Province by inheritance.

April 27. Letter. Edmund Jennings to C. Calvert. 3, pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1171.
ABST. Gives observations to invalidate the argument which Penn's Counsel may give to prove that Order of 1685 was such a lien on the Lands there Specified that no entail could be made by the Baltimore family to affect what was bound by Order. Jennings argues that the Order has nothing to do with the present case.

May 7. Chancery. Penn vs. Baltimore. Plea on behalf of Lord Baltimore. 45 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 549, 550.
ABST. of Bill of Revisor from fol. 1 to fol. 257.
1st. branch (p. 2) contains minute circumstantial Detail of all matters in Original Bill by Petitioners of 1735 against Lord Baltimore, for specific performance of Agreement of 1732.
2nd. branch (p. 20) From fol. 257 to fol. 406—Gives Lord Baltimore's answer to Original Bill.
3rd. branch (p. 28) From fol. 407-414. Adjournment of Cause in 1743 for want of parties Suppl't. Bill filed and answers thereto.
4th. branch (p. 29) From fol. 414 to fol. 444 contains Decree of 1750, Order of 1751, directing horizontal measure.
5th. branch (p. 32), fol. 444. Here begins new Suppl. matter stating pretended encroachments subsequent to Filing Original Bill. Proc. of Comms. after Decree but antecedent to notice of Lord Baltimore's death & not yet confirmed by Court.
6th. branch (p. 36) fol. 495, Lord Baltimore's will, death and other matters at which present Plea is Levelled, the preceding Detail of the Bill being almost unnecessary.

May 16. Chancery. Penn vs. Baltimore. Instructions to move amendments to original bill [3, November 1747] 2, pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 555
ABST. History of the bill. Lord Baltimore begs Court to discharge order for amending the Bill and restore Plea to the Paper, or at least Limit Plaintiff's time for amending their Bill as well as for argument of the Plea.

Aug. Letter. W. Murray, His Majesty's Attorney-General. "On behalf of the Penn family." Relative to the boundaries of Pennsylvania and Maryland.

Cf. Coleman, Cat. of Penn Papers, No. 399.

Dec. 11. Report Board of Trade to the King.

MS. ORIG. Johnson MSS., N. Y. State.
PUB. N. Y. Hist. Doc., v. 2, pp. 410-412.
ABST. Unfavorable to petition of Thos. and Richard Penn to grant lands west of Alleghany Mts. to soldiers as inimical to rights of Indians under their treaty of 1726.
Note. Anticipate reasons of Indian policy that led to the halt of Mason and Dixon at Dunkard Creek.

Dec. 25. Letter. Cecilius Calvert to Governor Sharpe.

MS. ORIG. Md. Hist. Soc., Portfolio 4, No. 33.
PUB. Md. Arch., v. 6, pp. 322-330.
ABST. Refers to postponement of Chancery case due to Amendment of Plaintiffs Bill. Recommends that Grants and settlements on the Eastern Shore be increased by all justifiable means.

1755.
Dec. 31. **Queries from the Lords Commissioners for Trade and Plantations.**

MS. ORIG. Md. Council Proc., Liber J. R. & U. S., 1753-67, p. 82.

ABST. "1. What is the situation of the province under your government, the nature of the country, soils and climate, latitudes and lontitude of the most considerable places in it or the neighboring French and Spanish settlement. Have those latitudes and longtitudes been settled by good observation or only by common computation, and from whence are the longtitudes computed? 2. What are the reputed boundaries and are there any parts thereof disputed, what parts and by whom?

1755. **MAP. Lewis Evans. A general map of the Middle British Colonies in America viz. Virginia, Marilland, Delaware, Pensilvania [etc.] Philadelphia 1755. Engraved 20x27½.**

PUB. In his Geog. hist. and political essays, printed by Franklin & Hall, Phila., 1755.

Cf. Brimley, No. 3251; Barlow, Americana, No. 926, Rev. ed. by Jeffreys, 1758 in his Gen. topog. of N. A., Lond., 1768.

REPUB. Pa. Arch., ser. 3, apx., v. 1-10, maps.
Pa. Soc. of N. Y., Yearbook 1904, p. 96.

Note. For engagement of Evans see: Letter. Thos. Penn to Gov. Hamilton, 1749, June 6. The boundary is carried west to Ohio river.

The information for this map was gained in part from special explorations undertaken for the Pennsylvania government along the yet unsettled southern and western boundaries of that state. (See Pa. Arch., ser. 1, v. 2, pp. 47-48). For the influence of this map on subsequent publications, see Mathews, Maps and Map-Makers of Maryland, pp. 395-398.

1756.
April 15. **Report of the Board of Trade on the petition of Cadwallader Evans praying for a Grant of all the Islands in the River & Bay of Delaware in America. 2, pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 566.

ABST. Board of Trade advises that petition be rejected.

May 3. **Letter. Mr. [Thomas] (?) Penn to Lord Baltimore. 1, p. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1184.

ABST. Informs Lord Baltimore that he would not allow Mr. Paris to seal an attachment against him in case his answer was not in by Wednesday next.

June 19. **Letter. Governor Sharp to [C. Calvert ?] 1, p. sm. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1196.

ABST. States that he encloses Report of Board of Trade on Petition of Evans for Grant of Islands in Delaware Bay and River, and a copy of Petition of Brice, a ship builder. Asks whether it will be proper to make opposition to Petition while it is before the Board of Trade.

Aug. 19. **Chancery. Penn vs. Baltimore. Papers exchanged between Lord Baltimore and Penn touching East and West Line across Peninsula. 1, p. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 568.

ABST. Mr. Paris' paper as to East and West line. Accuses the Maryland Commissioners of setting up ill-founded pretence that the line should stop three miles short of the West End at Slaughter Creek and not at Chesapeake Bay. Questions whether or not they agree to last proceedings of Commissioners and surveyors.

Lord Baltimore's answer. Denies first accusation and concedes to matters specified in Penn's Papers and will quit claim to any Right he has therein if Penns will relinquish all title to costs for Lord Baltimore or his heirs and that all law shall end and that each shall pay their respective lawyers.

Aug. 23. **Answers to the queries that were sent by Order of the Right Honourable the Lords of Trade and Plantations to the Lt. Governor of Maryland.**

MS. COPY. Md. Council Proc., Liber J. R. & U. S., 1753-67, pp. 117-121.

ABST. Gives a statement regarding the charter to Lord Baltimore and the boundaries under the temporary line.

1756.

Nov. 29. **Instrument under great seal of New York confirming Penn's right to Newcastle and 12 miles around, etc. 12 p. fol.**

MS. ORIG. Del. Hist. Soc., Douglas Papers.
Note. Simply a certified copy of the earlier document? See p. 243.

Dec. **MAP. Province of Pennsylvania by T. Kitchin, Lond., for R. Baldwin, 1756. 1 in.—43 mi. 8½x7 in.**

PUB. In Lond. Mag., v. 25, p. 599 (Dec., 1756.)
REPUB. Pa. Socy. of N. Y., Yearbook, 1905, p. 145.
Note. Surprisingly accurate contemporaneous map laying down results of peninsular surveys of previous six years.

Dec. 16. **Letter. Cecilius Calvert to Governor Sharpe.**

MS. ORIG. Md. Hist. Soc.
PUB. Md. Arch., v. 6, pp. 513-517.
ABST. Referring to Lord Baltimore's agreement with the Penns he says: "It Chagrins me much. I know not the Advice nor motive that so precipitately hurry's him to so great wrong of himself."

1757. **Chancery. Penn vs. Baltimore. Hints drawn up by Lord Baltimore's solicitors for better consideration of Instrument of Confirmation, Prepared and Rendered by Solicitor of Messrs. Penn. 8, pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 578, 579, 580.
ABST. Hints in Respect to the Instrument under consideration. (Lord Baltimore gives notice for Desiring Accommodation. His only Recompense is that they Relinquish all past costs and damages, each Party paying own lawyers.)

April 7. **Letter. Cecilius Calvert to Governor Sharpe.**

MS. COPY. Md. Hist. Soc.
PUB. Md. Arch., v. 6, pp. 538-542.
ABST. "Not anything as yet has been carried into execution bet. Lord Baltimore & Messrs. Penns with respect to Boundaries, the matter is under reference with the Lawyers on both sides. Their doubts have no resolves."

1757(?) **Chancery. Penn vs. Baltimore. Draft of Indenture. 26, pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 571.

THE FINAL AGREEMENT.

Aug. 8. **Letter. F. J. Paris to Mr. Hamersley [Baltimore's financial agent]. London.**

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 63, 2 pp. text is one page d.
Md. Hist. Soc., Calvert Papers, No. 586.
ABST. Mr. Paris returns to Mr. Hammersley a copy of the Draft of Agreement between Lord Baltimore & Penns. Mr. Paris also sends a paper of Remarks made by Solicitor General and Mr. Abrahams upon proposed alterations. Mr. Paris states that he will meet Lord Baltimore's council in order to settle Draft. 1, p. fol.

Aug. 8. **Chancery. Penn vs. Baltimore. Answers by Mr. Penn's Counsell to alterations proposed by Lord Baltimore's Counsell. 1, p. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 587.
ABST. 1. Mr. Penn's Counsel think it proper to take notice of Orders of Council in 1685 & 1709.
2. Acts ought to be at joint expense.
3. Important that Agreement be settled with approbation of Counsel on both sides and this statement is inserted.

1757.

4. Proper that Lord Baltimore should submit to a Decree which would reserve a "Liberty of resorting back yto the Court."
5. Proposed that Lord Baltimore should stipulate that he will *consent* to an Agreement.
6. No reasonable objection can be made against mutual conveyance agreeable to constant Direction of Court of Chancery.
7. Mr. Penn ought to be required to release costs till Agreement is performed.

Aug. 8. Chancery. Penn vs. Baltimore. Copy of Objections made by Mr. Paris to the Alterations made by Lord Baltimore's Counsel in the Intended Agreement as delivered on 8 August 1757. With some short answers thereto. 5, pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 593.

ABST. 1. Lord Baltimore's Commissioners deem it improper to take notice of orders.
2. Expense should fall from time to time upon party requiring it.
3. Can make it permanent without the correction.
4. This claim superfluous, as *all* Decrees have that Liberty.
5. Has already agreed to this.
6. Neither party had right to make conveyances and they might inconvenience his descendants.
7. Lord Baltimore thought Penn had already accepted that condition. Lord Baltimore will determine it himself without further reference to Council.

Chancery. Penn vs. Baltimore. Observations for Lord Baltimore on Agreement as now adjusted and on Mr. Wilmot's Proposed alterations. 5, pp. fol.

MS COPY. Md. Hist. Soc., Calvert Papers, No. 589.

ABST. Various omissions and additions of words and phrases.

1758.

June 11. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook I, pp. 347-350.
PUB. Md. Arch., v. 9, pp. 203-205.

ABST. Acknowledges receipt of map which is forwarded to Mr. Emory for report on southern and eastern boundaries.

July 9. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook I, pp. 356-366.
PUB. Md. Arch., v. 9, pp. 228-234.

ABST. Refers to former commission and recommends men for new commission. Also discusses the Taylor and James Island question. Asks that provision may be made for meeting the expenses of the commissioners and surveyors.

Sept. 16. Letter. Secy. Rideout [?] to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV, pp. 1-4.
PUB. Md. Arch., v. 9, pp. 266-269.

ABST. Notes that James and Taylor islands are not part of the main land while Fenwick's Island is. Sends Journal of Commissioners, Emery's Map of Taylor's and James's Islands with notes and the latter's journal of the survey. Fears that the transpeninsular line will cut the Nanticoke and thus allow waterway in the Chesapeake to Penns.

Nov. 3. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV, pp. 8-11.
PUB. Md. Arch., v. 9, pp. 296-298.

ABST. Sends duplicate and depositions regarding Taylor's and James's Islands mentioned above.

1759. MAP. Improved part of Pennsylvania. By Nicholas Scull. Phila., 1759, 58½x29½. 1 in.—4 mi.

REPUB. Pa. Arch., ser. 3, apx., v. 1-10, maps. For other reprod., cf. Winsor Narr. & Crit. Hist., v. 5, p. 240.

Note. Besides showing the words "Circular line" this map notes "N. B. The author of this map in placing of Fort Cumberland has followed

1759.

Fry and Jefferson but is of opinion that whenever the line is run between Pennsylvania and Maryland it will pass to the southward of that Fort."

Cf. with Homan's map of Va.-Md., etc., same year, to see the same boundaries almost fantastically laid down, following many previous compilations. Scull's is another "mother" or source map. Scull was Surveyor General of Pa.

May 28. **Chancery. Penn vs. Baltimore. Heads for a Conference between Attorney General and Solicitor General for the Final Settlement of the Intended Agreement between the different Proprietors. 3, pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 603.

ABST. 1. The Draft of new Intended Agreement as originally drawn by Penn's agents with variations proposed by Lord Baltimore s counsel.
2 & 3. Objections made by Mr. Paris to variations and answers.
4 & 5. Are Provisionals to be inserted in Draft instead of acceptions as proposed by Penn's counsel.
6. Is Covenant proposed to be inserted in Agreement for immediate release of past costs and damages to Lord Baltimore. Account given by Lord Baltimore of proceedings of last meeting between Penn and Lord Baltimore.

May 29. **Chancery. Penn vs. Baltimore. Heads of matters agreed upon between Council on both sides. 1, p. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 604.

ABST. 1. As to Covenants to use each others name against Tenants who will change Lords, they are to be omitted.
2. Cost and Damages are to be released to date of present Agreement.
3. Recital of Possession agreed to by Lord Baltimore.
4. New Bill to be prepared, instead of prosecuting present suit.
Names signed are C. Pratt & C. Yorke.

1760.

May 31. **Patent to Alexander McCandless for tract of land called Paw Paw Bottom on Susq. r., surveyed 25 Dec., 1753.**

MS. In Phila. Records. Noted in Gibson, Hist. York Co., p. 77. Data furnished Gibson by Levi Cooper, Peachbottom township, Pa.

Note. Shows that Temporary Line was 72 perches more southward than present M. & D. line.

June 4. **Chancery. Penn vs. Baltimore. Draft of Agreement [between Frederick, Lord Baltimore, and Thomas and Richard Penn]. 33, pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 613, 614 (21, pp. fol.)

ABST. These Present Articles witness that each party agree to following:
1. That map on margin of Parchments of 1732 is true one.
2. That circle should be drawn with 12 mile radius.
3. That East and West Lines should be drawn.
4. That straight Northward Line at middle point of East and West Line should be run.
5. That at North point a line shall be run to 15 miles South of Philadelphia.
6. That at North Point a line be run to Western extent of Pennsylvania.
7. That circle & Line on map in red ink serve as explanation in present agreement.
8. Tangent Line.
9. That Commissioners be appointed.
10. That Lord Baltimore release claim to Pennsylvania as bounded in Agreement.
11. Agreement about old grants in the Provinces.
12. Further disputes about old grants be settled in new Agreement.
13. Both parties shall give friendly support to present agreement.
Observations on Draft, pp. 5-33.

1760.

July 4. Chancery. Penn vs. Baltimore. *Indenture* of agreement between Frederick, Lord Baltimore, Proprietor of Maryland one part and Thomas Penn and Richard Penn Proprietaries of Pensilvania and 3 Lower Counties of New Castle, Kent and Sussex on Delaware. [6 large Parchments with map attached.] Seals pendant.

MS. ORIG. Pa. Secy. of State, Harrisburg.
Md. Land Office, Annapolis.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 155.
Land Records, Md., 1788, Liber J. C., No. 2, pp. 1-24.
Pa. Hist. Soc., cf. Allen, Cat. Penn Papers, No. 92, lot 3.
PUB. Rept. Secy. Int. Aff. Pa., 1887. Boundaries.
Pa. Arch., ser. 1, v. 4, pp. 2-36 (from Pa copy), 100 privately printed for presentation, by Edw. D. Ingraham (Phila. Kite and Walton), 1851, 31 pp. fol. Copies in Library Congress, Ridgway and Pa. Hist. Soc., libraries, Phila.; Pratt Library, Baltimore, Sabin, No. 34439.
Note. The originals were brought from England by Sam'l Riddle. See Benney, v. 1, p. 390; Olden Times, v. 1, p. 346; Dunlop, Memoirs.
"This deed whether for technical accuracy, as a rare piece of conveyancing, legal learning, or for historical interests, is not surpassed by any paper of its kind"—Latrobe, Hist. M. & D. Line.
Recorded in Md. Land Records by Orders of Md. Assembly, McMahon, Hist., Md., v. 1, p. 45, footnote. Cf. Veech, Monongahela, p. 232; Olden Times, v. 1, p. 596.

July 4. Map accompanying agreement between Lord Baltimore and T. and R. Penn. 9¼x13¾ in.

REPUB. D. Chillas Litho., Phila., 1853, in Lenox Lib. Emmet MSS., No. 14606; Pa. Arch., v. 4, front.
Note. The original Lord Baltimore map as revised by Senex for agreement of 1732.

July 5. Chancery. Penn vs. Baltimore. Penn's release to Lord Baltimore of past costs and damages. [Parchment.]

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 157.

July 5. Commission. Frederick, Lord Baltimore, to Horatio Sharpe, Lt. Governor Benjamin Tasker, Jr., Edward Lloyd, Henry Jenkins, Daniel Dulaney, Stephen Bordley, Alex. Malcolm, D. D. to act as commissioners to fix the boundary line, by Frederick Baltimore. Parchment good condition. 2 sheets, 33½ inches wide by 27½ long. 77 lines on one sheet. Seal, F. Baltimore on hinged border. Inscribed: Lord Baltimore ads Messrs. Penn. Commission for Running the Boundary Line.

MS. ORIG. Md. Land Off., Annapolis, No. 159.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 158.
ABST. Recites articles of agreement of 1732, reproduces map of agreement, and court proceedings and recites articles of new agreement.

Probably July 5. Commission. Thomas & Richard Penn. To extend the time to settle the boundary of Maryland with Lord Baltimore. 2 large skins of parchment signed and sealed by Thomas and Richard Penn, 1760. Addressed to Hon. William Allen, Esq., Richard Peters, Benjamin Chew, William Coleman, and others.

Cf. Coleman, Cat. Penn Papers, No. 141.

July 7. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV, pp. 107-127.
PUB. Md. Arch., v. 8, pp. 423-435.
ABST. Sends journal of the commissioners who ran the East and West Lines.

1760.

Sept. 15. Letter. Governor Hamilton to Governor Sharpe.

MS. ORIG. Md. Hist. Soc.
PUB. Md. Arch., v. 9, p. 449.

ABST. Forwards a copy of the Agreement of July 4, 1760, and a commission from Lord Baltimore to Gov. Sharpe and six others. Announces Pennsylvania commissioners and suggests a meeting be held in October.

Sept. 19. Letter. Governor Sharpe to Governor Hamilton.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV.
PUB. Md. Arch., v. 9, p. 450.

ABST. Acknowledges receipt of commissions and agreement of July 4; names Maryland Commissioners and hints at postponement of first meeting.

Oct. 14. Letter. Governor Sharpe to Lord Baltimore.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV, pp. 137-141.
PUB. Md. Arch., v. 9, pp. 457-460.

ABST. Acknowledges receipt of Agreement and Commissions and refers to a journal of what he had done that was being sent to Secy. Calvert.

Oct. 21. Letter. Governor Hamilton to Governor Sharpe and the Answer. 4 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 619, 620.
PUB. Md. Arch., v. 9, pp. 462-463.

ABST. Governor Hamilton appointed the time and place of meeting as Nov. 12 at Newcastle. Answer. Governor Sharpe says he hopes to be able to meet. Commissioners actually met on Nov. 18.

Oct. 28. Letter. Governor Sharpe to Lord Baltimore.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV, pp. 143-144.
PUB. Md. Arch., v. 9, pp. 463-465.

ABST. Announces the death of Benj. Tasker and the appointment of Mr. Ridout as commissioner.

Oct. 28. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV, pp. 145-146.
PUB. Md. Arch., v. 9, pp. 465-467.

ABST. Writes that commissioners plan to meet on the 12, Nov. [They actually met a week later]. Also tell of engaging Mr. Prof. Graham as mathematician.

Nov. Journal of Proceedings of sundry of Commissioners appointed by Lord Baltimore to settle Divisional Lines between Maryland and Pennsylvania.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 616.

ABST. Commissioners hold that method of running the line across the Peninsula is erroneous and prejudicial to Lord Baltimore.

Nov. 8. Will of John Watson, Jr.

MS. ORIG. Bucks Co. (Pa.) probate records, Sept. 1, 1761. Description furnished by Gen. W. H. H. Davis, Doylestown, Pa.

ABST. Made because he was about to go to Newcastle to meet the boundary commiss.

Note. Inventory by fellow surveyors John Lukens and Arch. McClean filed in Register's office at Newton (Pa.), lists "Theodolite and cover, a protractor, ball and chain and a sliding telescope."

Nov. 11. Instructions to surveyors by Commissioners.

Note. Remained in force into 1762.
Cf. Minutes of Comsrs., 1762, Apr. 30.

1760.
Dec. 11. **Meeting of Commissioners at Newcastle. 16, pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 617.

ABST. 19 Nov. Two clerks appointed to take minutes and keep copies for Lord Baltimore and Penns. First line to be run is between 3 Lower Counties & Maryland 20, Nov. They decide to fix middle point and run meridian and tangent 21, Nov. They arrange details of determining lines. Request more time and give instructions to surveyors, 24, Nov.

Dec. 11. **Instructions—Commissioners to Surveyors.**

MS. COPY. Dec. 11 in Minutes Commiss., 1768, Nov. 9.

ABST. Will lay off a true meridian northward from Middle Point to intersection with line running west from Newcastle courthouse. To John Frederick, Aug. Prigg, Thos. Garnett and Arthur Emory for Md. John Watson, John Stapler and Wm. Shankland for Pa.

Dec. **Queries on Articles of Agreement submitted by Governor [Sharpe] to Charles Goldsborough. 4 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 629, 629½.

ABST. 1st. Whether Lord Baltimore has right to receive rents from people which are due since the dividing lines were made by which these persons' plantations fell in Pennsylvania?
2nd. Whether Lord Baltimore has right to receive quit rents from inhabitants of Worcester County who by Articles of Agreement would fall into Sussex County.
3rd. Whether if persons in Maryland who by line fall in Pennsylvania should pay Lord Baltimore quit rents after 4, July last, he would be obliged to refund same to Pennsylvania?
4th. Whether he should be accountable to them if he does receive them or not.
5th. Same as No. 3 in 628. [see following entries.]?
6th. Whether if Pa. has received such money they cannot be compelled to account for same to Lord Baltimore?
7th. Same as No. 4 in 628.
8th. Same as No. 5 in 628.
9th. Same as last part of No. 4 in 628.
10th. Have sheriffs of Somerset, Dorchester, Queen Anne & Cecil Counties authority over persons whose Plantations are doubtful as to what Province they are in.

Answer to Queries—
1st. Lord Baltimore has no right.
2nd. Lord Baltimore has no right.
3rd. Lord Baltimore may be compelled to refund to Penns.
4th. Lord Baltimore not accountable to Penns for rent.
5th. Lord Baltimore has right to receive Purchase money.
6th. Penns can be compelled to account to Lord Baltimore.
7th-9th. Sheriff has not authority beyond the line and the two Provinces are supposed to be actually divided.
8th-10th. People belong to their former Provinces until divisions is actually made.

1760. **Queries on Articles of Agreement submitted to consideration of Mr. Dulany. 2, pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 628.

ABST. 1st. Whether Lord Baltimore has right to receive rents from people which are due since dividing lines were made by which those person's plantations fell into Pennsylvania?
2nd. Whether Lord Baltimore has right to receive quit rents from inhabitants of Worcester County who by Articles of Agreement would fall into Sussex County.
3rd. Whether persons holding land in Pennsylvania have not paid original purchase money must not pay same to Lord Baltimore if their lands fall in Maryland.
4th. Whether inhabitants of Worcester county must pay Maryland Duties which have become payable since they became inhabitants of Sussex. Has sheriff of Worcester County any authority on North side of Line at this time.
5th. Whether former inhabitants of Maryland will have to pay Maryland levies as inhabitants of Pennsylvania before Articles of Agreement are carried into execution.
6th. Questions of rents from persons whose land lies on line of 1751.
7th. Are persons having plantations on dividing line to pay taxes in Maryland or not.

Cf. Md. Arch., v. 9, p. 483.

1760.

Dec. 18. Letter. Earl of Stirling to Thomas Penn, Esq. 4, p. Q.

Cf. Coleman, Cat. Penn Papers, 1870, No. 87.

ABST. "Entirely relating to the Penn estates in America and the Boundaries thereof and the aggressive encroachments of the inhabitants of the adjoining counties from 1632-1760.

Dec. 20. Letter. Governor Sharpe to Lord Baltimore.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV, pp. 147-153.
PUB. Md. Arch., v. 9, pp. 468-473.

ABST. Discusses the results of the meeting of the commissioners recently held at Newcastle, and what possible differences may arise. Asks for new instructions and enlargement of time. The chief difficulty foreseen is whether an east-west line is straight or curved.

Dec. 22. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV, pp. 153-158.
PUB. Md. Arch., v. 9, pp. 480-484.

ABST. Outlines the proposed method of work; asks for advice as to the running of the East and West line and requests certain instruments.

1761.

Feb. 24. Answers to queries, by Mr. Bordley. 4 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 633.

ABST. 1st. Lord Baltimore has excluded himself from right to receive rents which accrued since 4th July 1760 [date of articles] for Lands which may fall in Pennsylvania.
2nd. Same rule applies to all arrears of rent then due.
3rd. Answered in 2nd query.
4th. Lord Baltimore having given up right to receive rents cannot be accountable for declining to do what he has no right to do.
5th. Owners of land originally in Pennsylvania, but now in Maryland must pay original purchase money and all arrears of quit rents to Lord Baltimore.
6th. Proprietor of Pennsylvania under same rule as Lord Baltimore in Answers 1, 2, 4.
7th. About Powers of Government—Whatever alterations from original Limits between Provinces may be brought about by Artices in point of Territory. Lord Baltimore's claim to Government to full extent of Territory granted him by Charter, ought to be kept up until his majesty's pleasure can be known.
8th. Rule for Duties and Levies mentioned in queries: 8, 9, 10, being all Acts of Government, are referred to preceeding answer.
11th. Owner of land *on* the line shall pay quit rents to respective proprietors in proportion to the 2 pieces of land thus divided and the party who is entitled to the quit rent must at his own expense ascertain the quantity of Land remaining or taken in his Territory.
12th. Answered in 7.

Feb. Demonstration by Dr. Robert Smith. "Scheme for running the tangent lines." 2 pp. fol. with diag.

MS. COPY. Pa. Hist. Soc., Penn. MSS. "Boundaries," p. 94.

Note. Dr. Smith was professor of astronomy and Vice Chancellor of Cambridge Univ. and founder of its Smith mathematical prizes.

Feb. Letter. Surveyor Greer to the Pennsylvania Commissioners. 4 pp. fol.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 99.

ABST. Transmits method "For the laying out a Circle or Part of a Circle at 12 Mile distance from the Center of the Town of Newcastle" and solution, with three diagrams.

Feb. Demonstration by Dr. John Bevis for Finding a meridian with a telescopic instrument.

MS. COPY. Pa. Hist. Soc., Penn. MSS. "Boundaries," p. 72.

ABST. Directions for observing the zenith distance of Capella south of Philadelphia. His own success in measuring with rods across Salisbury Plain. Why the "Triangular Wooden Instrument" is inaccurate.

Note. Dr. Bevis a prominent astronomer and Fellow of the Royal Society published many astron. tables, books and papers.

1761.

Feb. Demonstrations. To run tangent to circle about Newcastle. Unsigned.

Ms. Pa. Hist. Soc., Penn. MSS. "Boundaries," pp. 86-95.

Note. From explanation probably by English scientists or by the surveyors of the line in America.

Feb. 24. Additional queries submitted to Mr. Bordley. 1 p. fol.

Ms. Copy. Md. Hist. Soc., Nos. 630, 631.

Abst. Begins at No. 11. To whom do persons pay rent whose plantations are crossed by line of 1751, at whose expense is the exact dividing line to be determined. No. 12. Are persons whose plantations are crossed by dividing line to pay taxes in Maryland or not? No. 13. If dividing line runs through Lord Proprietor's manors, will he be deprived of all right to such as may fall in Pennsylvania?

Feb. 27. Demonstration. Mr. Harris, Christ Hospital. "Second proposition." 4 pp. fol.

Ms. Orig. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 66.

Abst. Solution of a proposition to draw a right line from the point "E" in such manner as to become a tangent to a circle supposed to be described about the town "C" at the distance of 12 horizontal miles.

Note. Harris at this time Assay Master of the Mint was an inventor of mathematical instruments and an author of books on mathematics and navigation.

April 18. John Robertson's original proposal for finding the places of the partition lines between Pennsylvania and Maryland. Signed Repr. 30 p. MS.

Ms. Orig. Pa. Hist. Soc., Penn MSS. "Boundaries" p. 83.
Cf. Coleman, Cat. Penn Papers, 1870, No. 17.

Abst. Discusses magnetic variation and its effect upon running long lines. Proposes a system of triangulation and analyses the work into 13 problems.

April 28. Letter. Wilmot to C. Calvert. 2 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers. No. 1232.

Abst. Advises that neither Lord Baltimore nor Penn grant such lands as are ungranted in their own provinces, which will be in a different province after lines are run, nor receive quit rents of such as are granted. As to lands which are uncertain by reason of undetermined lines, the parties should settle with each other after lines are run.

Note. Wilmot was a witness to the agreement of 1760.

April 30. Commission from the Right Honorable Lord Baltimore for enlarging the time limited by a former commission of 5th July, 1760, for settling the boundaries between Maryland and Pennsylvania with Messrs. Penn. [Parchment.]

Ms. Md. Hist. Soc., Calvert Papers, No. 160.
Md. Hist. Soc., Calvert Papers, No. 161.

May 21. Instructions. Commissioners to Surveyors Priggs, Garnett, Emory, Watson, Stapler and Shankland.

Ms. Copy. In the field notes and journal of the surveyors after June 12, 1761. pp. 40-43; Thomas Garnett and John Hall not signing this July 10, 1761; also copied in the minutes of the commissioners at Chester Town, June 26, 1761.

Abst. Having observed errors in the measurements, the surveyors are instructed to remeasure certain parts of the line. They are also to make new determinations of the meridian. If they do not coincide with the old they are to wait until August 1st. Authorized to run southwest try line.

1761.

May 22. Chancery. Penn vs. Baltimore. Record of Court.

Ms. Orig. P. R. O. "Chancery Proceedings."

Abst. Cites Bill of Complaint and recites final agreement. Proprietaries to make out commissions for not more than seven and not less than three persons to conclude the running of part of the boundary line.

Note. Baltimore's answer of 27 Aug. 1761 is attached to this.

June 10. Letter. Cecilius Calvert to Governor Sharpe.

Ms. Orig. Md. Hist. Soc.
Pub. Md. Arch., v. 9, p. 519-521.

Abst. Reports agreement between the proprietors as to enlargement of time and that east and west line shall be a parallel of latitude.

June 15. Letter. John Robertson "to Thos. Penn, London."

Ms. Orig. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 67.

Abst. Answering a proposal for describing a parallel of latitude, has considered ease of the whole operation and expense.

June 19. Letter. C. Calvert to Hammersley. 2 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 1236.

Abst. Lord Baltimore asks Hammersley's advice in regard to Power of Court and Sheriff of Worcester over People formerly of that County, now falling north of the line run in 1751.

June 25. Commission. Governor Sharpe to Rev. John Barclay, as commissioner for Maryland.

Note. In place of "Hon. Dan Dulaney now embarking for England." Cf. June 25 Minutes Comsr. 1761, June 26.

June 26. Minutes of Commissioners Proceedings at Chestertown, Kent County, Maryland, March 25, 1761, to June 26, 1761, together instructions to surveyors about running the mid-peninsular north and south line. 6 pp. fol.

Ms. Copy. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 71. Cf. Allen, Cat. Penn Papers, No. 62.
Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 684 (10 pp. fol.)

Abst. Meridian taken by the star Aloith and Polar star. Letters to surveyors with instructions as to where and how to run the line. This is preceded by an auto-signed statement of Governor James Hamilton that Richard Tea, clerk, and Richard Peters, secretary of the provinces of Pennsylvania, have appeared before him and sworn this to be a true copy. Dated 22 August, 1761.

June 30. Letter. Governor Sharpe to Cecilius Calvert.

Ms. Copy. Md. Hist. Soc., Sharpe Letterbook IV, p. 205.
Pub. Md. Arch., v. 9, p. 527.

Abst. Announces that true north line has been run 26 miles up the peninsula and that work will be renewed on July 15.

July. Queries submitted to Mr. Robertson by Thos. Penn. 4 pp. fol.

Ms. Copy. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 81.

Abst. Queries on the 2nd, 4th and 8th of the original articles between the proprietors of Maryland and Pennsylvania and eight questions on the geodetic problems involved in running the line.
See letter, Robertson, 6 July 1761.

July 6. Demonstrations by John Robertson. "Mr. Robertson's scheme."

Ms. Orig. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 68.

Abst. Ms. answers to eight queries proposed by Mr. Penn. Method. "To describe a Parallel of Latitude."

1761.

July? "Discussion [probably by Doctor Harris]. 5 pp., and diag. to ascertain the latitude for the boundary and to continue that boundary westward to any assigned difference of longitude."

Ms. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 102.

ABST. Suggests improvements in the instrument proposed by Doctor Robertson.

July 10. Commission. Appointing Jonathan Hall vice Mr. Arthur Emory, as surveyor for Maryland.

Ms. COPY. In the field notes and journals of the Surveyors of 1761, p. 44.

July 15. Commission appointing John Lukens and Archibald McClean two of the surveyors for the proprietors of Pennsylvania.

Ms. COPY. In the field notes and journal of the surveyors of 1761 p. 45. Addressed to Messrs. Prigg, Garnett, Stapler and Shankland.

Note by Thomas Garnett and John Hall that this was received July 19, 1761.

July 23. Opinion of Messrs. Pratt and Yorke on Agreement. 1 p. fol.

Ms. COPY. Md. Hist. Soc., Calvert Papers, No. 649.

ABST. Think that Boundaries now ascertained are real Boundaries and on this ground the Parties have agreed to apply to King to Ratify Agreement. Recommend Proprietors to carry covenant into Execution by Petition to King and in meantime instruct their Governments and agents to induce tenants to comply with laws agreed upon by Proprietors.

Aug. 17. Letter. Governor Sharpe to Cecilius Calvert.

Ms. COPY. Md. Hist. Soc., Sharpe Letterbook IV, p. 210.
PUB. Md. Arch., v. 9, pp. 536-537.

ABST. Refers to the fact that the boundary line is to be an arc of a parallel of latitude and not an arc of the great circle. And also that the surveyors can now use Alioth and are now at work.

Aug. Instructions from Lord Baltimore to Governor Sharpe for his Conduct in Government of Maryland. 2 pp. fol.

Ms. COPY. Md. Hist. Soc., Calvert Papers, No. 630.

ABST. Gives opinion of Pratt and York (see Calvert Papers, No. 649). Instructed to use all lawful methods to induce tenants on each side the Lines to submit to Government to which they shall fall and to be obedient to Agreement.

Aug. 22. Letter. John Lukens to Richard Peters, Esq. 2 pp. fol. Autosigned.

Ms. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 70.

ABST. Asks that he may be relieved as he finds instructions easy in theory but not in practice over swamps.

Aug. 27. Chancery. Penn vs. Baltimore. Answer of Lord Baltimore to Bill of Complaint.

Ms. P. R. O. "Chancery Proceedings."

ABST. Commissions provided for a final agreement had in reality been executed 5 July 1760 and progress made, as well as extension of time arranged for from 30 April 1762 to 30 April 1763.

Sept. 14. Letter. Governor Sharpe to Cecilius Calvert.

Ms. COPY. Md. Hist. Soc., Sharpe Letterbook IV, p. 211.
PUB. Md. Arch., v. 9, pp. 538-539.

ABST. Announces that the surveyors had run the north line 44 miles and would reach Newcastle connections sometime in October.

1761.

Oct. 22. Letter. Governor Sharpe to Lord Baltimore.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV, p. 212.
PUB. Md. Arch., v. 9, pp. 548-549.
ABST. Asks that Proprietaries obtain the transit used in surveying a meridian through Salisbury Plain about 1748.

Oct. 22. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV, p. 213.
PUB. Md. Arch., v. 9, pp. 549-550.
ABST. Describes the state of the work and asks regarding the east and west line if it should be extended westward to the "Fountain Head of the North Branches or to the Meridian of the most Western Spring that runs into the South Branch of Potomack."

Oct. 23. Letter. Commissioners for Pennsylvania "to the Honoured Gentlemen" [Messrs. Penn]. 4 pp. fol. Auto signatures of Messrs. Hamilton, Allen, Peters, Ewing, Chew and Coleman.

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 78. Cf. Coleman Cat. Penn Papers, Nos. 27, 168.
ABST. This letter, setting forth, as it does, the numerous errors and difficulties into which the surveyors had fallen undoubtedly led to the appointment of new surveyors and the ultimate appointment of Mason and Dixon.
Note. Ewing had been appointed in place of Lardner, gone to England.

Oct. 24. Letter of instruction, Newcastle. Commissioners to Surveyors Hall, Garnett, Lukens and McClean.

MS. COPY. In Field notes and Journal of the surveyors of 1761, p. 133.
ABST. They have fixed a stone near Joseph Tatloe's house near which the surveyors are desired to set up a post and from whence they are to measure the line of intersection according to former instructions. They are to measure accurately a base from which to triangulate the distance from the courthouse to the said post.

Nov. 7. Instructions. Commissioners to the surveyors.

MS. COPY. In the Field notes and Journal of the surveyors of 1761, pp. 135, 136.
ABST. They are to run a straight line 12 miles, horizontal measure, from the center of the courthouse of Newcastle, making an angle of 19° 3′ 55″ northward with the line of intersection lately run.

Nov. 9. Letter. Lord Stirling to Richard Peters, Esq. 2 pp. fol.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 74.
ABST. States that astronomical transit from East Jersey will be of little value until he can explain its manner of working as the printed instructions are lost. Approves Mr. Robertson's method for circle around Newcastle. Cf. 6 July, 1761.

Nov. 12. Letter. Governor Sharpe to Lord Baltimore.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV, p. 216.
PUB. Md. Arch., v. 9, pp. 551-552.
ABST. Sends map showing what has been done and asks advice as to running a tangent line. Says that Lord Baltimore's share of expense to date is £1000. Suggests that it may be better to have other surveyors run the northern boundary.

Nov. 13. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV, p. 218.
PUB. Md. Arch., v. 9, pp. 554-555.
ABST. Describes the work of the surveyors to date and asks whether the tangent line should be surveyed or determined by offsets made each mile.

Nov. 29. Letter. Mr. Bordley to C. Calvert. 10 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1227.
ABST. Relates what was done towards executing the Commission of running lines between the proprietors.

1761.

Dec. 1. **Answers by the Maryland Council to the queries that were sent by the Honourable the Lords of Trade and Plantations to the Lieut. Governor of Maryland.**

MS. ORIG. Md. Council Proc., Liber J. R. & U. S., pp. 318-320.

ABST. Gives description of physical features of state, charter boundaries and consequent disputes, and outlines of agreement of 4 July, 1760.

Dec. 2. **Field notes and Journal, Surveyors of 1761. Auto signed by John Lukens, Archibald McClean, Thomas Garnett and John Hall. 156 pp. fol. 12 mo. 11 Dec., 1760, to 2 Dec., 1761.**

MS. ORIG. Land Office, Annapolis, Md.

Note. This is the only copy of this journal that has been found. The line here run is the true meridian or north line from which the surveyors of 1762/3 made offsets to run the tangent line

See map by Ewing, 1763, and remarks in field notes, 3 Aug. 1763.

Dec. 19. **Letter. Lord Stirling to [Richard Peters?] (extr.) 1 p. fol.**

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 75.

ABST. States that the Jersey quadrant is so exact that there will not be an error of 20 yards in the entire line.

Chancery. Penn vs. Baltimore. Bill of Complaint prepared by Penn's attorney. 3 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 642.

ABST. Penn complains that Lord Baltimore refuses to perform agreement.

1762. **Chancery. Penn vs. Baltimore. Answer of Lord Baltimore to Complaint of Penns. 2 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 644.

ABST. 1. Believes it true that Articles of Agreement (10 May 1732) were only made and executed by Charles, Lord Baltimore and John Penn.
2. Begs leave to refer to Articles of Agreement and Orders of Council before he answers.
3. Admits that Indenture of 4 July 1760 was duly acknowledged and enrolled in Court, but begs leave to refer to it again.
4. Admits that he executed two commissions for running lines.
5. Willing for Court to Ratify Indenture of 4 July 1760, and consents to perform its agreement.

Jan. 13. **"Extracts of a letter from Pennsylvania," 13 Jany., 1762. 2 pp. fol.**

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 65.

ABST. "It will not be in their power to carry this agreement into execution unless Lord Baltimore sends word that unreasonable objections shall be avoided."

See also Letter, 23 Dec. 1760.

Feb. 20. **Letter. John Robertson to Thomas Penn.**

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 82.

ABST. Transmits tables for latitude and explains the advantage of the astronomical method over the offset method for surveying the parallel. This was the plan adopted for the Mason and Dixon line.

Note. Table with diagram showing offsets on scale of 1000 feet with explanations in his handwriting.

Feb. 27. **Chancery. Penn vs. Baltimore. Brief for Defendant (Lord Baltimore). 21 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 645, 646, 647.

ABST. Lord Baltimore Answers Bill of Penns (1761) praying that Indenture of 1760 be ratified by Court and Lord Baltimore be bound by the Decree. Agrees to perform Indenture of Agreement 4 July 1760.

1762.

Feb. 27. Chancery. Penn vs. Baltimore. Petition to confirm Agreement between Lord Baltimore and Penns. 36 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 666.

ABST. Recites the disputes about boundary line and its settlement, from 1683-1762.

Mar. 6. Decree by Lord High Chancellor for specific performance of Agreement of 1760.

Note. Referred to in Broadside issued by Gov. of Pa. 1774.

April 26. Commission. Gov. Sharpe to George Stuart to act as commissioner for Maryland.

ABST. To take place of Hon. Robert Jenkins Henry, sick. Cf. Apr. 6-29 Minutes of Commiss. 1762, Apr. 30.

April 30. Minutes of Commissioners. Proceedings at Newcastle, with instructions to the surveyors. Auto-signed for Maryland by Messrs. Sharp, Ridout, Leeds, Steuart; for Pennsylvania by Messrs. Hamilton, Allen, Peters, Chew, Coleman.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 73.
Md. Hist. Soc., Calvert Papers, No. 657.

ABST. Met at Newcastle; report of surveyors on running line of intersection; report of surveyors in running tangent line; commissioners ask for more time to 31 Dec. 1764.

Last two pages also in Calvert Papers, No. 663.

June 15. Commissioners. Journal No. 1. 88 pp. sm. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 624.
Md. Hist. Soc., Calvert Papers, No. 664.

ABST. Copy of Instructions to surveyors and Journal with diagrams.

June 17. Letter. Surveyors in field to Commissioners.

ABST. Reporting deviation of tangent line at 15 mile post. Cf. Minutes of Commiss. 1762, Sept. 17.

June 21. Commission. Governor Sharpe to John Ridout and John Leeds.

ABST. Appointing them commissioners for Md. in place of Hon. Benj. Tasker, Jr. and Rev. Alex. Malcolm. Cf. July 29 Minutes Commiss. 1762 Sept. 17.

Note. Ridout was Secy. of Md., Leeds the Surveyor of 1760.

July 23. Commission. Governor Hamilton to Rev. John Ewing.

ABST. Appointing him commissioner in place of Lynford Lardner "lately sailed for England." Cf. July 29 Minutes Commiss. 1762, Sept. 17.

Aug. 20. Resolution. New Jersey Council. 1 p. fol.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 69.

ABST. The astronomical quadrant with the box of instruments and instructions belonging to it to be loaned to the proprietors of Pennsylvania, Lady Stirling to deliver the same to Mr. Peters or other person.

Sept. 14? Commission. Governor Hamilton to Wm. Coleman.

ABST. As commissioner for Pa. in place of "Ryves Holt who declined to serve longer." Cf. Sept. 14 Minutes Commiss. 1762, Sept. 17.

Note. Coleman was judge of the Supreme Court of Pa.

1762.

Sept. 14. Addition to minutes of 14 Sept. proposed by Maryland Commissioners but objected to by Pennsylvania Commissioners.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 669.

Abst. Pennsylvania Commissioners proposed a new calculation for finding true course of Tangent; Maryland Commissioners suggest that lines be reported to Proprietors of Pennsylvania and Maryland and let them decide next step. Finally agreed that calculation be made on supposition that the Line last run is a straight Line. Maryland Commissioners believe error was committed in running last Line as well as in Meridian Line.

Sept. 16. Extract of Commissioners' Minutes. 4 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 667.

Abst. Further instructions of Commissioners and Surveyors about running a line from middle post of east and west line to make an angle northwesterly with the line last run.

Sept. 17. Extract from Commissioners' Minutes. 4 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 668.

Abst. Work on tangent line dropped for time being, and new line begun. Same instructions as in preceding.

Sept. 17. Minutes of the Commissioners for running the lines between the provinces of Pennsylvania and Maryland from the 29th of July, 1762, to September 17th following, both inclusive. 8 p. fol. Attested by Sec'y Peters.

Ms. Copy. Pa. Hist. Soc., Penn MSS. "Boundaries," pp. 76, 77.
Md. Hist. Soc., Calvert Papers, No. 664.

Abst. Signed: for Maryland by Messrs. Ridout, Leeds, Stuart, Barclay; for Pennsylvania by Messrs. Allen, Peters, Coleman, Ewing. Closing with instructions to surveyors Priggs, Garnet, Hall, Stapler, Lukens and McClean.

Meetings held near "Mid-Point" and at Newcastle.

Oct. 9. Letter. Commissioners to Proprietors.

Cf. Allen, Cat. Penn Papers, No 16.

Oct. 20? Commission. Governor Sharpe to Dennis Dulaney.

Abst. As commissioner for Md. in place of Edw. Lloyd "disabled from attending." Cf. Oct. 20 Minutes Commiss. 1763, Dec. 10.

Note. Lloyd acted later as financial agent of Md. for the Survey.

Nov. 1. Map. Philadelphia. By Nicholas Scull. 1 in. = 400 feet, 20x15½ in.

Repub. by Miller and Moss, Phila., 1876.

Issued one year before Mason and Dixon set up their observatory at South Street. Plots dwellings at corner of Cedar St. taken at southernmost point of city from which to measure south to the boundary. For sketch of the Plumstead and Huddle house where work began see: Emmett MSS. No. 14486, Lenox Library.

Dec. 12. Copy of Instructions for Surveyors. 9 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, Nos. 622, 623.

Abst. Instructions to run meridian and north line, to use horizontal measures, keep minutes, and keep Governors Sharp and Hamilton posted.

1763.

Feb. 15. Mr. Penn's commission to their commissioners to Enlarge the time for settling the Boundarys of Pennsylvania and Maryland with Lord Baltimore.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 163.

Note. A similar commission was issued by Baltimore. Cf. Minutes Commiss, 1763, Apr. 30.

1763.

April 27. Letter. Richard Peters to Thomas Penn. 1 p. Q.

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 101.

Cf. Coleman, Cat. Penn Papers No. 328.

ABST. In spite of Mr. Alexander's Tables of Variation of Variation [variation repeated] it is impossible to absolutely fix the place where the lines must run. As this variation is less as we go westward can it be right to run a whole westerly line of the Province with the same variation especially as this is all in your prejudice? If on examination of the work by mathematicians in England it should be pronounced wrong can Lord Baltimore procure an order to do it over again? If an error be made in running the tangent line of say 1, 2, 3, 4, 5 miles East or West may it still be deemed the dividing line or shall the commissioner's return the line and set forth the error?

April 30. Commission. Governor Sharpe to Daniel of St. Thomas Jenifer.

ABST. Appointing him "clerk to the commissioners of Lord Baltimore." Cf. Minutes Commiss. 1763, Apr. 30.

June 6. Letter. Chas. Mason to Dr. Bradley.

MS. ORIG. Radcliffe Observ. Oxford Univ. Eng.

ABST. Thanks him for his kind wishes in the "North American [boundary] affair." Mr. Penn has been heard from and when Lord Baltimore returns, Dr. Bradley's recommendation will be a great favor.

Note. Mason was assistant to Dr. Bradley who laid the foundation of practical astronomy. After returning from America Mason remained with him. When Bradley died 1782 Mason sailed with his family to live in America.

MASON AND DIXON SURVEY.

July 20. Letter. Cecilius Calvert to Governor Sharpe.

MS. ORIG. Md. Hist. Soc.
PUB. Md. Arch., v. 9, p. 105.

ABST. Refers to failures of surveyors and engagement of Mason and Dixon.

July 21. Minutes of Commissioners proceedings at Newcastle, 29 Apr. to 21 July, together with instructions to the surveyors. 15 p. fol.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," pp. 109, 110, attested by Sec'y Peters, Phila., 30 Sept. 1763.

Note. Orig. Ms. was in Custody of Sec'y Peters.

July 21. Proceedings of Joint Commission (July 15—July 21, 1763). 17 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 674.

ABST. Commissioners unable to agree as to the accuracy of the Line run last year. Further instructions to surveyors.

July 20. Contract [rough draft] between Thomas Penn, Richard Penn, Lord Baltimore proprietaries [London] and two mathematicians [spaces left blank for names], agreeing to pay the latter 10 sh. 6 d. each from the 26th of June, 1763, to the day of their landing in America; £1 1 sh. for each day during the time they are in America and up to their landing again in England; 10 sh. 6 d. extra each day on their return passage and £1 1 sh. for the time necessary to complete the work. Provisions are made as to the time to be allowed for the accomplishment of the work and stipulation that the expense shall be borne proportionately by the proprietaries. Unsigned. 10 p. 5 p. text.

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries." pp. 105, 106.

Note. This contract is apparently the draft prepared by the solicitors and may have been used as the "copy" for an engrossed instrument. The date is pencilled in only, at the top of the first page. See Aug. 4, 1763.

See also bill rendered, 11 Nov. 1768.

1763.

Aug. 4. **Instrument of Reciprocal Agreement between Lord Baltimore and the Penns and Mason and Dixon. 4 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 679.

ABST. Lord Baltimore and the Penns agree to pay traveling expenses and one pound one shilling a day for services of Mason and Dixon. Mason and Dixon agree to give their best assistance. All bind themselves in penal sum of two hundred pounds for faithful Performance of the Agreement. [Decision to employ Messrs. Mason and Dixon reached 20 June. Agreement as to pay 14 July. See memo. with bill of surveyors. 11 Nov. 1768. Mr. Gilbert Coke's copy.]

Aug. 4. **Lord Baltimore's direction to Governor Sharp and council of Maryland to assist Chas. Mason and Jeremiah Dixon in making the limits between Maryland and Pennsylvania. [Parchment.]**

MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 165, 675, 678.
Same: with colored wood-cut of 1732 map in margin. Calvert Papers, No. 166.

Aug. 4. **Hints from Messrs. Bevis and Harris [2 mathematicians] to Lord Baltimore and the Penns about running tangent Line and Parallel of Latitude. 3 pp. fol.**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 680.

ABST. Discuss methods of running the lines.

Note. These were sent to boundary Commiss. and by them delivered, Dec. 1, to Mason and Dixon who were instructed, Dec. 10 to rerun the tangent line in accordance with these hints. Cf. Minutes of Commiss., 1762, Dec. 10.

Aug. 4. **Letter. Thomas and Richard Penn to Governor James Hamilton, Wm. Allen, Richard Peters, Benjamin Chew, Wm. Coleman, John Erving and Geo. Stevenson. Requesting acceptance of Chas. Mason and Jeremiah Dixon and extending time for completing survey. Auto signed Thomas and Richard Penn. Parchment. 7 pp. large fol.**

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," pp. 103, 104.
MS. COPY. Md. Hist. Soc., Calvert Papers, Nos. 164, 677.

ABST. Contract of the proprietaries with Charles Mason and Jeremiah Dixon "two persons who, they have the greatest reason to believe, are well-skilled in astronomy, mathematicks and surveying, of great integrity and totally unbiassed and unprejudiced on either side of the question to go over to America." Requests and desires the said commissioners to take the said Mason and Dixon to their aid and assistance to mark, run out, settle, fix and determine all such parts of the said circle, marks, lines and boundaries as are mentioned in the commission. From the endorsement it is evident that this was prepared as fair copy for the use of the engrossers, although there are numerous interlineations. The engrossed document was presented by Mason and Dixon, as their credentials, to the commissioners. See letter of the Pennsylvania Commissioners. Dec. 20, 1763. The date of Aug. 4, 1763 (of the copy for the engrossers) is pencilled in—The rough draft is dated July. Mason is herein described as "late Asst. observer at Greenwich," and Dixon as "land-surveyor of Cockfield, Durham."

Aug. 10. **Letter. Thomas Penn to Colonel [Joseph] Shippen.**

REPR. In Balch, Shippen Papers, p. 202.

ABST. "Since Mr. Richard Peters has resigned [as secretary] to become a minister we cannot longer desire him to receive and disburse moneys for the services of the commissioners and surveyors appointed for running the lines between Maryland and Pennsylvania, and desire you to act in his place."

Aug. 10. **Letter. Thomas Penn to John Lukens.**

PUB. Pa. Arch., ser. 2, v. 7, p. 273.

ABST. "We have appointed two surveyors, jointly with Lord Baltimore, to finish all these Lines who will embark about fourteen Days hence."

1763.

Aug. 17. Letter. Cecilius Calvert to Governor Sharpe.

MS. ORIG. Lenox Lib. Emmet MSS. No. 14485.

ABST. Forwards Dr. Bevis' transit instrument by Mason and Dixon and receipt for £71 paid them. Discusses minutely the new plan of survey by them.

Aug. 21. Letter. Secretary Cecilius Calvert to Frederick, Lord Baltimore.

PUB. Md. Hist. Soc., Fund Pub. No. 34, pp. 209-215.

ABST. Recounts the arrangements made for Mason and Dixon Survey.

Aug. 30. Field notes and Journal, 21 July, 1760, to 30 Aug., 1763, of the joint surveyors. Auto signed for Pennsylvania by John Lukens and Archibald McClean; for Maryland by John F. A. Priggs and Jonathan Hall. 130 pp.

MS. ORIG. Land Office, Annapolis.
MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries" p. 113. (Incomplete).
PUB. Rep. Sec. Int. Aff., Pa. "Boundaries," pp. 340-351 (in part). Taken from authenticated copy in possession of Ferd. Hassler.

Note. This is the only complete original or complete copy that has been found of this journal. The copy of the minutes from July 21 to August 30, 1768 was made for the use of the Pennsylvania proprietors and is now among the Penn manuscripts in the Pennsylvania Historical Society. See also field notes of preceding year, 2 Dec. 1761.

Aug. 30. Journal No. 2. Commissioners. 56 pp. sm. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 625.
Md. Hist. Soc., Calvert Papers, No. 664. Extracts, 25 pp. fol.

ABST. Journal with diagrams and further instructions to the surveyors.

Sept. 25. Letter. Cecilius Calvert to Lord Baltimore. 7 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1271.

ABST. Says he agreed with the Penns that in running lines, agreed Latitudes should be ascertained by distance of stars. Also tells of agreement with Mason and Dixon and under what conditions they came to America.

Nov. 3. Commission. Governor Sharpe to Daniel of St. Thomas Jenifer.

ABST. As commissioner for Md. in place of Dennis Dulaney. Cf. Nov. 3, Minutes Commiss. 1762, Dec. 10.

Note. Jenifer was already clerk to Md. commiss. as Maurice was for Pa.

Nov. 10. Letter. Governor Sharp to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV.
PUB. Md. Arch., v. 14, p. 120.

ABST. Gives account of meeting at Georgetown and agreement to postpone further work pending arrival of Mason and Dixon.

Dec. 1. Proclamation by Lieut. Gov. Colden of N. Y. of the royal proclamation declaring the boundaries of the several governments of America.

MS. N. Y. Sec'y State, Off., English MSS. v. 92, p. 53.

Dec. 6. Oath qualifying Mason and Dixon.

Note. Drawn up by Commiss. Administered this date by Judge Coleman of the Pa. Supreme Court, one of the Commiss. Cf. Minutes Commiss. 1763, Dec. 10.

Dec. 9. Instructions of Commissioners at Phila. to Surveyors Mason and Dixon.

MS. COPY. Minutes Commiss. 1872 Dec. 10.

ABST. After running Phila. to Brandywine line and line south 15 miles they are to re-run tangent line from Middle Point. Are to sign two journals each day.

1763.

Dec. 10. **Minutes of the Commissioners from Oct. 20, 1763, to Dec. 10, 1763. 15 pp. fol.**

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," pp. 111, 112. Md. Hist. Soc., Calvert Papers, No. 681.

ABST. Minutes of proceedings with elaborate instructions to the new surveyors, Messrs. Mason and Dixon, as to the operations they shall first undertake and the instruments that shall be used.
Meeting of Oct. 20 held at Georgetown, Md., that of Dec. at Phila.

Dec. 13. **Letter. Secy Ridout to Cecilius Calvert.**

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV.
PUB. Md. Arch., v. 14, p. 123.

ABST. Announces arrival of Mason and Dixon and recites the instructions given to them at Philadelphia.

Dec. 20 **"Representation of Facts". By Commiss. John Ewing for the Pa. Commiss.**

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 97. "Draught" on p. 92.

ABST. Representation of facts, with draught delineating the two lines last run. Both are agreeable to a letter written by the Pennsylvania commissioners to the proprietaries 20 Dec. 1763, being a resumé of the operations conducted in surveying the tangent line and from which it appears that the work has been conducted with mathematical precision, although the second effort to describe the tangent line met with little better success than the first.

Dec. 20. **MAP. [John Ewing.] Draught delineating the two lines last run [as tangent lines to the Newcastle circle]. 1 p. fol.**

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 92.

ABST. This shows the tangent line of 1762 and the tangent line of 1763; also the offsets from the line of 1762 marked with posts and west of the 1762 line, and the offset from the line of 1763 marked with posts and east of the 1763 line. See extract from the commissioners' letter, Phila. Dec. 20, 1763.

Dec. 20. **Letter. Pennsylvania Commissioners [Hamilton et al.] to Thomas and Richard Penn. 3 pp. fol. Auto signed.**

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 115.

ABST. Announces the arrival of Messrs. Mason and Dixon and acknowledges the receipt of the Proprietors' instructions handed them by Mason and Dixon as well as of the paper of hints by Dr. Harris and Bevis. Relates the proceedings of the last meeting of the commissioners. Encloses for Penn's better information "A Representation of Facts," so that Mr. Penn will be acquainted with all of the details of the situation. Agree with Mason and Dixon that the accepted measurement of a degree latitude on the earth's surface (given in hints) is too short and cannot be depended upon. Therefore, will proceed to measure 15 miles south of Philadelphia by mensuration.

Note. Probably occasioned accurate measurement of degree of latitude for Royal Society by Mason and Dixon. See: Roy. Soc. Trans. v. 12.

Dec. 20. **"Reasons offered by the Maryland Commissioners for deferring the work" and "The Pennsylvania Commissioners' answer." 1 p fol. Unsigned.**

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 98.

Dec. 28. **Letter. Governor Sharpe to Cecilius Calvert.**

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV.
PUB. Md. Arch., v. 14, pp. 126-127.

ABST. Gives an account of starting Mason and Dixon and thinks more time will be needed.

1764.

Jan. 7. Letter. Richard Peters to Messrs. Mason and Dixon. 2 pp. O. Auto signed.

MS. ORIG. Bound in the "Mason and Dixon Journal." Library U. S. Dept. State.

ABST. Describes course of the line west from Philadelphia run in 1738/9.

Feb. 16. Letter. David Rittenhouse to Wm. Barton.

PUB. Barton. Mem. Rittenhouse, pp. 146, 147.

ABST. Sec'y. Peters has paid him generously for his attendance at Newcastle where he had "to go through a number of tedious and intricate calculations."

Cf. also Pennypacker. "Rittenhouse" in Harper's Monthly Mag., 1882, pp. 65, 66 and repr. in his Hist. & Biog. Sketches, pp. 59-88.

April 3. Letter. Cecilius Calvert to Governor Sharpe.

MS. ORIG. Md. Hist. Soc.
PUB. Md. Arch., v. 14, p. 129-149.

ABST. Says Penns are trying to arrange for the running of their northern boundary as a douceur to the New Surveyors [Mason and Dixon] if they treat them well.

June 2. Commission from the Right Honorable Lord Baltimore, Lord Proprietary of Maryland, for Enlarging the time granted by former Commissioners for setting the Boundarys between Maryland and Pennsylvania with Messrs. Penn to 31 December, 1765. [Parchment.]

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 167.
Cf. Commission 4 Dec. 1765 extending time one year.

Note. Commissioners agreed May 21, 1764 to ask an extension to Dec. 31, 1766. Cf. Minutes Commiss. 1768. Proprietors apparently agreed to sanction extensions only a year at a time. See entries 1764, Dec. 31; 1765, Nov. 28; 1766, Nov. 1; 1767, Nov. 12.

June 11. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV.
PUB. Md. Arch., v. 14, pp. 163-164.

ABST. "15 mile south line terminates more than a quarter of a mile Northward of the point to which the temporary line run in 1739 inclined us to think it would extend."

July 10. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV.
PUB. Md. Arch., v. 14, p. 167.

ABST. Thinks Mason and Dixon will be busy all the summer running the tangent line which lies so far west of the old that a new vista must be cut.

Aug. 22. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV.
PUB. Md. Arch., v. 14, p. 173.

ABST. Tells of progress of Mason and Dixon and says no work on the northern boundary likely before end of summer.

Nov. 13. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV.
PUB. Md. Arch., v. 14, p. 183.

ABST. Tells of progress of Tangent Line and outlines methods of running the East and West Line proposed by Mason and Dixon.

1764.

Nov. 21? Commissions. Governor John Penn to Edward Shippen and Thomas Willing.

ABST. Commissioners for Pa. in place of George Stevenson disabled and Richard Peters "now absent beyond the seas." Cf. Minutes Commiss. 1768, No. 9.

Dec. 4. Letter. Mason and Dixon to [Commissioners?]. 44 pp. fol.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1290.

ABST. Tells their method of running the tangent line and the result. Tables of measurements. They conclude that offset posts made from first line is in the true tangent line established on 24 November.

Dec. 15. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV.
PUB. Md. Arch., v. 14, p. 187.

ABST. Sends copy of minutes of meeting held 24 Nov., saying "it will be two years yet before the whole business can be finished."

Dec. 31. Commission from Lord Baltimore to Commissioners. Enlarging the time for running the Boundarys between Maryland and Pennsylvania till 25th December, 1764. Parchment, signed by Cecilius Calvert, His Attor'y.

MS. ORIG. Md. Hist. Soc., Calvert Papers, No. 162.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 673. (Extracts date to 31 Dec. 1764).

1765.

Jan. 16. Letter. Secretary Cecilius Calvert to Governor Sharpe (?).

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1191.
PUB. Md. Hist. Soc., Fund Pub. No. 34, pp. 248-255.

ABST. Refers with satisfaction to work of Mason and Dixon.

July 10. Letter. Governor Sharpe to Cecilius Calvert.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV.
PUB. Md. Arch., v. 14, p. 199.

ABST. Says Mason and Dixon completed work east of Susquehanna June 17, but that they will not reach the limits of settlement during that field season.

Sept. 12. Letter. Charles Mason and Jeremiah Dixon to Joseph Shippen, Jr. 1 p. fol.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 114.
Cf. Allen. Cat. Penn Papers, No. 64, lot 2.

ABST. Copy of report of progress giving observations taken. They are 95 miles from the point of beginning, which was 2 miles to the north of Newark in Newcastle county. The temporary [run in 1739] line was at first half a mile to the southward, and it is now distant from their vista half a mile. The next station will be North mountain. They hope to run far enough this season to determine whether the line will cross the river Potomac or not. Wrote Governor Sharpe a fortnight ago for £400 or £500, but have had no answer.

Oct. 24. Minutes of Royal Society. Appointment of Mason and Dixon to measure a degree of latitude "in the neighborhood of Pennsylvania."

MS. ORIG. Royal Soc. Lond., Council Minutes.
PUB. Mag. West Hist., v. 5, p. 454.

Nov. 11. Letter. Governor Sharpe to Lord Baltimore.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV.
PUB. Md. Arch., v. 14, p. 239.

ABST. Says commissioners meet at York, Pa., Nov. 16, and that the line has reached North Mountain.

1765.

Nov. 11. Letter. Governor Sharpe to Cecilius Calvert.

Ms. Copy. Md. Hist. Soc., Sharpe Letterbook IV.
Pub. Md. Arch., v. 14, p. 239.
Abst. Says new line has crossed "Temporary Line" several times and is now half a mile south. The line will not intersect Potomac (near Hancock) but will run eight or ten miles north of Fort Cumberland.

Nov. 16? Commissions. Governor Sharpe to Daniel of St. Thomas Jenifer and J. Beale Bordley deceased. Cf. Nov. 16, Minutes Commiss., 1768, Nov. 9.

Nov. 28. Draft of commission from Lord Baltimore for enlarging time limited by former commission for settling Boundaries between Maryland and Pennsylvania. 6 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 685.
Abst. Time extended to 31 December 1766.
Note. Applied for by Commissioners, 21 May, 1764.

Nov. 28. Commission to Mr. Penn's commissioners to enlarge the time to settle the Boundaries of Pennsylvania and Maryland with Lord Baltimore to the 31st Day of December, 1766. [Parchment.]

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 168.
Md. Hist. Soc., Calvert Papers, No. 169, imperfect.

Dec. 4. Commission from the Right Honorable Lord Baltimore, Lord Proprietary of Maryland, for Enlarging the time limited by former Commissions for settling the Boundaries between Maryland and Pennsylvania with Messrs. Penn to 31 December, 1766. [Parchment.]

Ms. Copy. Md. Hist. Soc., Calvert Papers. No. 170.

Dec. 21. Letter. Governor Sharpe to Cecilius Calvert.

Ms. Copy. Md. Hist. Soc., Sharpe Letterbook IV.
Pub. Md. Arch., v. 14, p. 250.
Note. Mason and Dixon report that they have run 114 miles from Northeast corner of Maryland and he hopes the whole affair can be ended in summer of 1766.

1766.

Mar. 21 Instructions. Commissioners to Surveyors Mason and Dixon.

Ms. Copy. Mar. 21 Minutes Commiss. 1768.
Abst. To run line from North Mountain to Allegheny Mountain and report fortnightly through John Darnell, Frederick, Md., and through Edw. Shippen, Lancaster, Pa.

April 14. Letter. Mason and Dixon to Governor Sharpe.

Ms. Orig. Md. Hist. Soc., Gilmor Papers, v. 2, p. 8.
Pub. Md. Arch., v. 14, p. 298.
Latrobe, Mason and Dixon line, p. 45.
Abst. Report that Penns have paid £615 more than Lord Baltimore and ask for £600-£700.

May 28. Letter. Governor Sharpe to Mr. Hamersely.

Ms. Copy. Md. Hist. Soc., Sharpe Letterbook IV.
Pub. Md. Arch., v. 14, p. 307.
Abst. Asks extension of time and reports that the line is almost to Fort Cumberland.

June 10. Letter. Mason and Dixon to Governor Sharpe.

Ms. Orig. Md. Hist. Soc., Gilmor Papers, v. 2, pt. 3.
Pub. Md. Arch., v. 14, p. 311.
Abst. Announce line extended 165 miles to the foot of Savage Mountain.

1766.

July 14. Letter. Governor Sharpe to Lord Baltimore.

MS. COPY. Md. Hist. Soc., Sharpe Letterbook IV.
PUB. Md. Arch., v. 14, p. 317.
ABST. Reports progress of Mason and Dixon.

July 14. Letter. Governor Sharpe to Mr. Hemersley.

MS. COPY. Md. Hist. Soc.,
PUB. Md. Arch., v. 14, p. 318.
ABST. Reports progress of Mason and Dixon and thinks it unwise to extend the line further as Indians may take offense.

July 24. Letter. Commissioners for Maryland to the Pennsylvania commissioners.

MS. COPY. In minutes of the joint commission of 1760-1768, p. 108.
ABST. As they find that the Messrs. Mason and Dixon have opened the vista till October next, and it will be very inconvenient for the Maryland commissioners to meet at Christina Bridge at the time appointed, because their provincial court is sitting, asks if there will be any objection for postponing the meeting for a few weeks?

July 29. Letter. Commissioners for Pennsylvania to the Maryland Commissioners.

MS. COPY. In minutes of joint commission of 1760-1768, p. 109.
ABST. As the meeting proposed for the 30th instant will meet no purpose, they agree to have the meeting deferred until the surveyors have fully executed the last instructions of the commissioners, which they think will be about the 29th of October next. They propose a meeting at Christina Bridge.

Aug. 2 Letter. Commissioners for Maryland to Pennsylvania Commissioners.

MS. COPY. In minutes of the joint commission of 1760-1768, p. 110.
ABST. Acknowledging the receipt of their letter of the 28th ulto. and agree to meet at Christina Bridge on the 28th of October next.

Aug. 12. Letter. Mason and Dixon to Governor Sharpe.

MS. ORIG. Md. Hist. Soc., Gilmor Papers, v. 2, pt. 3.
PUB. Md. Arch., v. 14, p. 328.
ABST. Acknowledges receipt of £500.

Sept. 19. Letter. R. H. Allen and Benjamin Chew, Commissioners, to Messrs. Mason and Dixon. 1 p.

MS. ORIG. Bound in the "Mason and Dixon Journal" in Library U. S. Dept. State. Letter in handwriting of Chew.
ABST. The meeting of the commissioners has been postponed to the 28th of next month. On reaching the east end of their line the surveyors will discharge their workmen. No objections to their measuring a degree of latitude for the Royal Society, but will expect them to attend the commissioners at Christina Bridge, to exhibit their books and make report of their work.

Oct. 1. Letter. Mason and Dixon to Governor Sharpe.

MS. ORIG. Md. Hist. Soc., Gilmor Papers, v. 2, pt. 3.
PUB. Md. Arch., v. 14, p. 332.

Oct. 1. Letter. Mason and Dixon to Benjamin Chew.

MS. ORIG. Lenox Lib. Emmet MSS. No. 14459, 1 p. O.
ABST. Will set up sector at Middle point as have advised Gov. Sharpe and will attend at place of meeting.

1766.

Oct. 5. **Letter. Commissioners for Maryland to Pennsylvania commissioners.**

MS. COPY. In minutes of the joint commission of 1760-1768, p. 110.

ABST. As Messrs. Mason and Dixon have already executed the instructions of the 21st of March last, are willing to proceed at once to set up in the tangent line the circle and east and west line, the 100 boundary stones, which will within a few days be conveyed to the head of Chester, Bohemia, Elk and Patapsco rivers. Ask that the meeting be postponed until the stones are fixed, which will be some time in November.

Oct. 22. **Letter. Commissioners for Pennsylvania to Maryland commissioners.**

MS. COPY. In minutes of the joint commission of 1760-1768, p. 111.

ABST. Concur with the proposal that the stones be set by the surveyors. Proposed the next meeting be at Christina Bridge, the 20th of November next.

Oct. 26. **Letter. Commissioners for Maryland to Pennsylvania commissioners.**

MS. COPY. In minutes of the joint commission of 1760-1768, p. 112.

ABST. Being in doubt whether their proposal would be acceptable, they intend to set off for Christina Bridge in the morning. As the proprietors desire that the line should be continued as far westward as Pennsylvania extends, suggest the time be prolonged for running the line.

Oct. 31. **Letter. Commissioners for Pennsylvania to Commissioners for Maryland.**

MS. COPY. In minutes of the joint commission of 1760-1768, p. 113.

ABST. Have no objection to the proposal made in their letter of the 26th inst. and will meet at Christina Bridge on the date agreed upon by Messrs. Barclay and Ewing to set boundary stones on Tangent line.

Nov. 1. **Commission to Mr. Penn's Commissioners to enlarge the time to settle the Boundaries of Pennsylvania and Maryland with Lord Baltimore. [Parchment.]**

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 172.

ABST. Extends time to December, 1767.

Nov. 1. **Commission from the Right Honorable Lord Baltimore, Lord Proprietary of Maryland, for Enlarging the Time limited by former Commissions for settling the Boundaries between Maryland and Pennsylvania with Messrs. Penn to 31 December, 1767. [Parchment.]**

MS. COPY. Md. Hist. Soc., Calvert Papers. No. 171.

Nov. 10. **Commissioners for Pennsylvania to Maryland Commissioners.**

MS. COPY. In minutes of the joint commission of 1760-1768, p. 113.

ABST. Are informed that the boundary stones will be set before the 17th of the present month. Request a meeting of the commissioners at Christina Bridge on that date, if agreeable.

Nov. 14. **Letter. Commissioners for Maryland to Pennsylvania Commissioners.**

MS. COPY. In minutes of the joint commission of 1760-1768, p. 113.

ABST. Although it is not convenient for the Maryland commissioners to meet at Christina Bridge on the 17th, three of them will be present.

1766.

Nov. 20. Minutes of Proceedings. Maryland Commissioners. 1 p. (MS., rough draft.)

MS. ORIG. Pa. Hist. Soc., Mason and Dixon Survey MSS.

ABST. Minutes of comm'ssioners asking the governors of Maryland and Pennsylvania to apply to Sir William Johnson, His Majesty's agent and superintendent for Indian Affairs, to secure the good-will of the Indians claiming an interest in the lands along the west line.

1767.

Feb. 9. Letter. Governor Horatio Sharpe to Governor Penn.

PUB. Pa. Arch., ser. 1, v. 4, p. 262.

ABST. Since Sir William Johnson cannot expect at an expense of £500 to get an answer from the Indians in accordance with the commissioners' agreement at the last meeting and as he seems very doubtful whether he will be able to prevail upon them now to give their consent to dividing lines being continued to the westermost limits of Pennsylvania, nevertheless if it is thought best that immediate application be made to the Indians, will direct Lord Baltimore's agent to defray one-half of the expense. Should Sir William be apprehensive that the Indians, will be averse to complying with the request which the commissioners agreed should be made, is not in favor of his making any application at all.

Feb. 24. Letter. N. Maskelyne to Messrs. Mason and Dixon. 3 p. auto-letter, signed. O.

MS. ORIG. Bound in the "Mason and Dixon Journal" in its proper chronological place in the Journal. Library U. S. Dept. State.

ABST. Deals with work done under auspices of Royal Society.

Note. Maskelyne was Astronomer Royal at Greenwich.

Mar. 10. Letter. Commissioners for Pennsylvania to Maryland Commissioners.

MS. COPY. In minutes of joint commission of 1760-1768, p. 119.

ABST. With no word from the Proprietaries or Sir William Johnson they suggest a postponement of the meeting until the 28th of April next.

Mar. 16. Letter. Commissioners for Maryland to Pennsylvania Commissioners.

MS. COPY. In minutes of the joint commission of 1760-1768, p. 119.

ABST. They agree to a postponement of the meeting suggested by the Pennsylvania Commissioners until the 20th of next month at Chester.

April 21. Letter. Commissioners of Pennsylvania to Commissioners for Maryland.

MS. COPY. In minutes of the joint commission of 1760-1768, p. 119.

ABST. As no news has yet been received from Sir William Johnson, whether or not the Indians consent to the continuing of the line beyond the Alleganies, they suggest that the meeting be held at Chester on the 20th of May next, when Sir William may have been heard from.

May 3. Letter. Commissioners for Maryland to Commissioners for Pennsylvania.

MS. COPY. In minutes of joint commission of 1760-1768, p. 120.

ABST. Regret that the meeting must be put off to a later date, especially as it will not be convenient to meet at Chester on the 20th on account of the sitting of the provincial court at that time. Are willing to have Mason and Dixon begin work on receipt of Sir William Johnson's answer.

May 11. Letter. Commissioners for Pennsylvania to Commissioners for Maryland.

MS. COPY. In minutes of the joint commission of 1760-1768, p. 121.

ABST. Commission for prolonging the time for running the lines to the 30th of December next have been received, but no advices from Sir William Johnson. They, therefore, suggest meeting at Chester on the 16th of June be postponed and concur with proposal that the surveyors be instructed to proceed with the lines in case a letter is received stating that the Indians have given their consent.

1767.

May 17. Letter. Commissioners for Maryland to Pennsylvania Commissioners.

MS. COPY. In minutes of the joint commission of 1760-1768, p. 121.

ABST. They are desirous that Mason and Dixon should proceed with the line as soon as the Indians have given their consent. Agree to the proposal of the Pennsylvania commissioners that the Chester meeting be postponed. More boundary stones are aboard a ship just arrived in Wye river. These will be sent to Baltimore Town to be conveyed by land to places in the line where they are to be set up.

May 20. Letter. Sir William Johnson to Governor John Penn.

MS. June 17, Minutes of Commiss., 1768, also letter to Gen. Gage same date.

ABST. At meeting of 600 Indians at German Flats, May 12, got their consent to running of the lines, several of their people to be present.

May. 20. Letter. Sir William Johnson to Gen. Gage.

MS. ORIG. Johnson MSS. N. Y. State.
PUB. Doc. rel. Colonial Hist. N. Y., v. 2, pp. 496, 497.

ABST. Secured from 627 Indians attending, but with much difficulty, consent to permit the divisional lines of Pa. and Md. to be run to westward of the Allegany.

June 16? Commission. Governor Sharpe to Daniel of St. Thomas Jenifer.

ABST. As commissioner for Md. Cf. June 16, Minutes of Commiss., 1768.

June 17. Letter. Thomas Penn to Messrs. Mason and Dixon. 1 p. O. Auto letter signed.

MS. ORIG. In "Mason and Dixon Journal." U. S. Dept. State.

ABST. Acknowledges their letter of January 6th and is satisfied with their account of the work done.

June 18. Instructions. Commissioners to Surveyors Mason and Dixon.

MS. COPY. June 18 in Minutes Commiss., 1768.
PUB. Mag. West. Hist., v. 5, p. 456.

ABST. Will continue west line to end of 5 degrees of longitude and mark it with heaps of stones and with the 139 boundary stones they are to send for to Baltimore.

June 22. Letter. Commissioners for Pennsylvania to Maryland Commissioners.

MS. COPY. Cf. Minutes of Commissioners, 1768.

ABST. Were surprised to learn that instead of the five or six Indians Sir William Johnson announced would accompany the surveyors there was a much greater number, not less than 100 or 150, who were assembling for that purpose. As the expense of subsisting so large a number would be intolerable, after advising Mr. Croghan, Sir William Johnson's deputy, they came to the resolution contained in the enclosed minute. As any application to the Indians without a small present would be ineffectual they were under the necessity of directing one to be made and trust that this measure will not be disapproved of by the Maryland commissioners. The minute in the foregoing letter is of same date and gives steps taken to prevent Indians from coming below Harris' Ferry [Harrisburg] where they were.

July 17. Letter. Governor Sharpe to Pennsylvania Commissioners.

MS. COPY. Cf. Minutes of Commissioners, 1768.

ABST. Answer to their letter of the 22nd of last month has been delayed because Major Jenifer and himself did not return directly from Chester, but made a long stay in Baltimore County. Their letter has been laid before the other commissioners, who consider the measure taken to induce the Indians to return was expedient and that the expense would be borne by the proprietors jointly.

1767.

Oct. 4. **Journal of Daily Observations, Mason and Dixon, from 15 November, 1765, to 4 October, 1767. 206 pp. 12½ by 8 inches.**

MS. ORIG. U. S. Lib. Sec'y State.
Land Office, Annapolis.
Pa. Hist. Soc., MSS. Mason and Dixon Survey.

PUB. Cf. Pa. Rept. Secy. Int. Aff. "Boundaries," 1887, pp. 59-281 (from Pa. copy).

The U. S. Dept. State original is a folio bound volume of but 147 pp. The date on which this Journal begins is 15 November, 1763—the same date on which the Maryland Land Office's and the Pennsylvania Historical Society's copies begin. The last date is 11th September where the following words occur: "At 11 H. ½ A. M. went on board a Halifax Packet Boat for Falmouth, H. P. B. & F. Thus ends my restless progress in America. C. Mason." See also *ante* Dec. 4, 1767, and Bliss in bibliography of Secondary Material.

The MS. copy of the Am. Philos. Soc., Phila., taken from an authenticated copy in possession of F. R. Hassler, first Supt. U. S. Coast Survey.

Note. The Maryland copy is bound in calf and bears on the side this title, "Ancient Boundaries of Maryland and Pennsylvania. Original manuscrips astronomical observations and Journal of Mason and Dixon From November 15, 1765 to October 4, 1767. Property of the State of Maryland." On the back of the volume is this title "Journal of Mason and Dixon of 1763 to 1767." The variation in signature from time to time is quite apparent, Dixon having signed his quite small to begin with and increasing its size to nearly three times the initial size before the book is concluded.

A comparison of the Maryland and State Dept. copies shows the following facts: The State Department copy has no signatures. The Maryland copy ends October 4, 1767, the Pennsylvania copy ends January 29, 1768, while the State Department copy continues until Sept. 4, 1768. The State Department copy contains much fuller descriptions of the operations for each day, as well as numerous interlineations, whereas the Maryland text is evidently a "fair copy." The Maryland copy has been in the official records of that state since the days of Governor Sharpe and it is evidently, therefore, the official copy prepared by Mason and Dixon for the State of Maryland. The State Department copy, on the other hand, was discovered in Halifax (cf. Bliss), and it is evidently the original draft of notes as made by Charles Mason while in the field. This conclusion is sustained by the fact that interleaved with the copy are numerous personal documents belonging to Mason.

The Pennsylvania copy has at some time been in the possession of Isabella James, Edward Ingraham, J. Randolph Rogers and F. J. Dreer. It was acquired by the Pa. Hist. Soc. in 1868 from Isabella James benefit "for charity." Like the Maryland copy, it is evidently a "fair copy" made from Mason's copy. This Ms. has 226 pp. Cf. also Veech, Monongahela of Old, p. 239 footnote.

Mason and Dixon were directed by the Commiss. (minutes, Dec. 9, 1768) "to keep minutes of their proceedings in two books which are every day to be signed by both of them, and to make notes of the buildings, waters, bridges and roads passed." One of these "two books" is the Md. copy, the other the Pa. copy. The State Dep't. copy containing but 147 pages is Mason's own journal. He closes it nearly a year after the "fair" copies are closed. Whether he left this volume in Halifax in Sept. 1768 as he embarked for England, or in 1782 when he returned with his family to settle in Phila. is unknown. The copy was discovered among some old papers in the Parliament building of Nova Scotia, and was presented by the Assembly to its clerk. It later came into the possession of Judge James of the Superior Court of Nova Scotia who exhibited it at Phila. in 1876. It was purchased through Geo. W. Childs by Sec'y Hamilton Fish in 1877 for $500.00 for the U. S. Dept. of State.

Important extracts from this original have been published in Robertson, Original Notes of Mason and Dixon Survey. See also Bliss, Mason and Dixon's Line.

Nov. 1. **Commission from the Right Honorable Lord Baltimore, Lord Proprietary of Maryland, for Enlarging the time limited by former Commissions for settling the Boundaries between Maryland and Pennsylvania with Messrs. Penn to 31 Dec., 1768. [Parchment.]**

MS. ORIG. Md. Hist. Soc., Calvert Papers, No. 173.
MS. COPY. Md. Hist. Soc., Calvert Papers, No. 697, 11 pp. fol.

1767.

Nov. 2. Commission to Mr. Penn's Commissioners to Enlarge the time to settle the Boundaries of Pennsylvania and Maryland with Lord Baltimore. [Parchment.]

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 174.

Dec. 26. Instructions. Commissioners to Surveyors Mason and Dixon.

Ms. Copy. Dec. 26 in Minutes Commiss., 1768.

Abst. Are to make a "plan or survey" of the line, sign and deliver it for approval by Commission that copies may be made.

Note. This map was evidently prepared between June 21, when Mason and Dixon completed their work for the Royal Society, and July 21, a period for which the Commissioners allowed them full wages. Cf. Aug. 27, Minutes, 1768.

Copies of this map in Pa. Hist. Soc., Amer. Phila. Soc., Md. Hist. Soc., etc. Reproduced here as Plate LXXXII.

1768.

Jan. 29. Letter. Mason and Dixon to Mr. Hammersely. 3 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 1311.
Pub. Md. Hist. Mag., v. 2, pp. 315-318.

Abst. Proceedings since 12 June. By all accounts from white men and Indians end of west line will not be above 20 miles from the Ohio in a West Course and not above 15 miles in a N. W. Course.

Note. Dec. 26, 1767 to June 21, 1768. Mason and Dixon were surveying the degree of latitude along the Tangent Line for the Royal Society. All records of this omitted here for lack of space.

July 1. Original order from the Attorney General and Solicitor General to all parties concerned in the boundaries of Pennsylvania and Maryland to appear at the Attorney General's house in Lincoln's Inn Fields. Signed by Wm. DeGrey, Attorney General, and J. Dunning [afterwards Lord Ashburnham], Solicitor General.

Ms. Orig. Pa. Hist. Soc., cf. Coleman, Cat. Penn Papers, supp., No. 87.

Aug. 20. Opinion of William De Grey and J. Dunning [attorney general and solicitor general] on Petition of Lord Baltimore and Penn to King. 2 pp. fol.

Ms. Copy. Md. Hist. Soc., Calvert Papers, No. 698.

Abst. Not necessary in point of law for King to comply with Petition. But King's approbation would tend to render Boundaries more authentic and satisfactory.

Aug. 25? Commission. Governor Sharpe to Daniel of St. Thomas Jenifer. Cf. Aug. 25, Minutes Commiss., 1768.

Abst. As commissioner for Md.

Note. A similar commission presented in 1767. See June 16, Minutes, 1768.

Aug. 26? Bill. Moses McClean, Steward, to Surveyors Mason and Dixon. Cf. Aug. 26, Minutes Commiss., 1768. Also 1770 Dec. 24 Joseph Shippen's accounting to Penns.

Aug. 27? Map. Mason and Dixon's plan and survey of lines run in 1751 from Fenwicks Island to the Middle Point.

Note. Ordered made by Commiss., 26 Dec., 1767. Plan approved by them 27 Aug., 1768. Cf. 27 Aug., 1768, Minutes of Commiss., 1768.

Sept. 10. Memo. by S. S. Bordley.

Ms. Orig. Md. Land Office. Cf. Latrobe, Mason and Dixon's Line.

Abst. Stone at "middle point" on peninsula east and west line had been dug up by persons looking for Captain Kidd's treasure.

1768.

Nov. 9. Commissioners on the Boundary, 1760-1768. [Minutes of the joint commissioners] "as well as on the Part of the Right Honourable the Lord Baltimore, Proprietary of the Province of Maryland, &c., as on the Part of the Honourable Thos. Penn and Richard Penn, Esqrs., Proprietors of the Province of Pennsylvania, &c." 174 pp. fol. Auto-signed by the commissioners. November 19, 1760, to November 9, 1768. MSS. 174 pp., 12½x8 inches.

MS. ORIG. In Land Office at Annapolis, Md.

See also minutes recorded under 1760, Dec. 11; 1761, June 26; 1762, Apr. 30, Sept. 17; 1763, July 21, Aug. 30, Dec. 10; 1766, Nov. 20 for copies taken from the official minutes apparently to send to proprietors. In later years of the survey the commissioners transacted much of their business by correspondence, which was, however, spread on the minutes.

Note. This is the only original and only complete copy of the minutes of the commissioners that has been thus far found. A number of extracts were copied for the use of the Penn family and came with the Penn papers into the possession of the Pennsylvania Historical Society. The parts which have thus far been copied are indicated under their respective dates. Cf. Graham, 1849.

Nov. 9. Report of the commissioners appointed to fix the boundary line between Pennsylvania and Maryland, signed, 1768. 3 sheets of parchment with seals. Accompanied by plan of the boundary (which see).

MS. ORIG. Md. Hist. Soc., Calvert Papers, Nos. 1051, 1052.
Pa. Hist. Soc.,
MS. COPY. Amer. Philos. Soc. library.
PUB. Rept. Secy. Int. Aff. "Boundaries," 1887, pp. 44-58.
Pa. Arch., ser. 1, v. 4, pp. 2-36.
Hart, Am. Hist., v. 2, pp. 107-109 (in part).
Johnson, Hist. Cecil Co.
Scharf, Hist. Md., pp. 407-409.

ABST. Repeats articles of agreement of 1732 and decree and order of commissioners of 1760.

Nov. 11. Report. Committee of Council to Committee for Plantation affairs.

MS. COPY. Lenox Lib. Chalmers Collec. "Papers rel. to Pa." Ms. v. 2 (1756-69), p. 6.

ABST. On consideration of petition of Md. and Pa. referred to them 24 Aug. 1767, have secured the opinion from the Attorney and Solicitor General which is annexed.

1768. [Pennnsylvania and Maryland Provinces, Proprietors. Joint Petition to the King asking a ratification of the boundary as run.]

Referred to in Broadside issued by Governor of Pennsylvania in 1774.

Nov. 11. Letter. Charles Mason and Jeremiah Dixon to Thomas Penn.

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 117.
Cf. Allen, Cat. Penn Papers, No. 64.

ABST. Asking appointment "to settle our Affairs" any day except the 15th inst. when they have an engagement at the Royal Observatory on business for the Royal Society, and enclosing bills amounting to £3512.09.00, less £1098.10.07. Also, corrected bill omitting item "Bill of exchange drawn upon The Honble Thos. Penn Esqr., when we were at New York, Sept. 10, 1768, £30.00.00" [opposite which Penn ? wrote on the first bill "Dont put in this"].

1768. Bill of Charles Mason and Jeremiah Dixon against The Right Honble Lord Baltimore and The Honble Thos. Penn and Richd Penn, Esqrs., Drs. For Wages June 26, 1763-Oct. 7, 1768. "For our passage to America and passage hence to England (£84). Total, £3516.19.00."

MS. ORIG. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 117.
Cf. Allen, Cat. Penn Papers, No. 64, etc. Amount less by £4.10.
MS. COPY. Mr. Gilbert Cope's library, West Chester, Pa.
Cf. Contract with surveyors, 4 Aug. 1763.

1768. Pennsylvania Commissioners. "An account of the attendance of the Commissioners of the honorable proprietors of Pennsylvania, in the survey for running the boundary lines between this province and the province of Maryland." 3 p. fol.

Ms. Orig. Pa. Hist. Soc., Penn MSS. "Boundaries," p. 116.

Abst. James Hamilton, 75 days (Nov. 1760-May 1764); William Allen, 77 (Nov. 1760-Nov. 1768); Richard Peters, 126 (Nov. 1760-August 1768); Benjamin Chew, 179 (Nov. 1760-Nov. 1768); Edward Shippen, Jr., 55 (Nov. 1764-Nov. 1768); Thomas Willing, 80 (Nov. 1764-Nov. 1768); William Coleman, 38 (Nov. 1761-Nov. 1763); Lynford Lardner, 37 (Nov. 1760-June 1761); Ryves Holt, 30 (Dec. 1760-Oct. 1761); Total 697 days, total cost £731.17. Richard's share ⅛, Thos. Penn ⅞."

1768. Commissioners and others. [Receipts given for monies expended by the Penn family in running the line between Pennsylvania and Maryland, 1760-1768.] Original vouchers amounting to £12,825.2.1., Pennsylvania currency.

Ms. Orig. Amer. Philos. Soc., Phila.

Note. "The vouchers attached are the original receipts given for money expended by the Penn family in running the line between Pennsylvania and Maryland from the year 1760 to 1768. They were preserved among bills and accounts from which they were selected which came into my possession through one of the descendants of Edmund Physick, who during his lifetime was Receiver General for the Penns. Philada, 1st mo. 9th, 1844, Geo. M. Justice." The equivalent in dollars is said to be $34,200.28. If the Baltimores paid an equal sum the Mason and Dixon line cost over $75,000 and the controversy cost this sum added to all other expenses like the running of the line of 1750, the Temporary Line, the commission meetings under the agreement of 1732, and the court and counsel charges from 1682 to 1769, a period of 87 years.

July 2. Map. Mason and Dixon. A plan of the boundary lines between the province of Maryland and the three lower counties of Delaware, with part of the parallel which is the boundary between the provinces of Pennsylvania and Maryland. 1 in.=4 mi. 68½ in. x 26 in. In 5 sections from 2 copper-plates. Showing the width of three miles on each side of the line and the position of the crown or fifth mile-stones, the lines commencing at the Atlantic ocean and at the former Cape Henlopen and ending at the second crossing of Dunkard creek in the Alleghenies. This map was pasted above and around the first map of the parchment MSS. copy of the report of the commissioners on their running this boundary in 1768. Upon the same sheet are the signatures of the commissioners, with their seals. J. Smither, Engraver.

Ms. Md. Hist. Soc., Calvert Papers, Nos. 1050, 1051, 1052 (original of plate LXXXII this volume).
Pa. Off. Secy. Int. Aff. with MSS. note, "Presented to the Commonwealth of Pennsylvania, 30 January, 1737, by Benjamin Chew, Cliveden, Philadelphia county," which makes this a certified copy.
Md. Land Office.

Ms. Copy. Off. Chief Engrs., U. S. A.

Note. Sept. 3, 1768, to do., paid James Smither for engraving the survey of the boundary lines, £12.00.00. . . . Paid Robert Kennedy, for papers and printing, etc., £20.00.00. Entry in Joseph Shippen's account book, Penn MSS. "Boundaries," Pa. Hist. Soc.

Another copy is in the Amer. Philos. Soc. library, where title sheet "The plan of the west line," etc., is mounted as the end of the piece beyond Dunkard Creek. This copy accompanied by MSS. and differently mounted from copy pasted in report of commissioners, 1768, in the possession of the Md. Hist. Soc. The sheet bearing title "The plan of the West line," etc., is, in the latter case mounted as piece 3 filling the space at north east corner of the map.

Pub. Pa. Rept. Secy. Int. Aff. "Boundaries," 1887. Atlas. Plate 1.

1768.

MAP. Mason and Dixon. Two copies on tracing paper, one sheet each, were made "from the old engraved map now in the archives of the Maryland plan of the boundary line, etc., at Annapolis" December, 1850, by Lt. Col. J. D. Graham. One copy on tracing paper (3 sheets) were made "off the old plan of the west line," Annapolis, December 1850, also by Lt. Col. Graham.

1769.

Jan. 11. Ratification of the Mason and Dixon Survey. King in Council.

Referred to in "Answer to Heads of Inquiry from B. T. & P."

PUB. Pa. Arch., ser. 1, v. 6, p. 501.
Cf. Smith, Laws of Pa., v. 2, p. 133.
Proclamation by Gov. Pa., 8 Apr., 1775.

Account and Receipt. "The Right Honble Lord Baltimore and The Honble Thos. Penn and Rich. Penn, Esqr. To Charles Mason and Jere Dixon for Wages. London Feb. (?) 1769. 2 p. fol. ms. pages.

MS. ORIG. Pa. Hist. Soc., Misc. Papers, Penn and Baltimore-Penn Family, 1768-1834, page 1.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1026.

ABST. This seems to be a copy of bill finally agreed upon. The date of the month is not filled in nor are any signatures attached. Compare with Mason and Dixon's bill for a different amount presented Nov. 11, 1768. The period unaccounted for, 26 Dec. 1767 to 21 June 1768 was the time occupied by them in measuring the degree of latitude for the Royal Society. See Commissioners Minutes Aug. 27, 1768. Endorsed "Copy Penn vs. Ld. Baltimore. The mathematicians account and receipt. Ingrossed on the back of the agreement." Total Dr. £3516.9.

26 June 1763 to Nov. 15, 1763, 142 days at 10s. 6d. p. day to each.
15 Nov. 1763 to 26 Dec. 1767, 150 days at £1.1s. to each.
21 June 1768 to 21 July 1768, 30 days at £1.1s. to each.
21 July 1768 to 28 Aug. 1768, 37 days at 10s. 6d. to each.
11 Sept. 1768 to 7 Oct. 1768, 26 days at 10s. 6d. to each.

"For our passage to America and passage hence to England £84. Total credit £10.70s.7d."

"By cash paid said Mason and Dixon before their departure from England £142."

"By cash paid us by the Commissioners in America as appears by our certificates £922.7s.7d."

Cf. Minutes of Commiss., 27 Aug. 1768 (under 9 Nov., 1768).

Feb. 24. Letter. Thomas Penn to Governor Hamilton.

MS. ORIG. Amer. Philos. Soc., Penn Concep., p. 754.

ABST. Plans to recommend that a law be passed to oblige the sheriffs of the counties to meet those of Maryland every three years to visit the boundary as well as to make it penal to remove or deface any of the stones or other marks made to perpetuate the Division.

Feb. 24. Receipt by Mason and Dixon of Lord Baltimore's moiety.

MS. COPY. Md. Hist. Soc., Calvert Papers, No. 1027.

Oct. 24. Letters. Sir Wm. Johnson, Indian Agent to Governor Penn.

PUB. Pa. Archives, ser. 1, v. 4, p. 349.

ABST. Has received his letter of the 16th ultimo and hopes the Indians have met surveyors at the place appointed, having given them notice since his letter was received upon the subject. . . .

Note. Either Johnson did not know surveyors Mason and Dixon had returned to England or Penn was pushing for a survey of the final 21 miles from the Dunkard Creek War Path.

1770.

Apr. 4. MAP. Pennsylvania. N. Scull. 32 x 27 in. Printed by James Nevilson for the author.

Copy in Pa. Hist. Soc., No. Of 515.

REPUB. Pa. Arch., ser. 3, Apx. vi-10. With acknowledgments to the various surveyors.

Note. Shows Mason and Dixon line to Dunkard Creek with several interesting letter-press notes. "The whole line run by Mason and Dixon is delineated on this map but considered as a boundary that line should have extended no farther west than somewhere about the line A B or the true meridian of the 1st fountain of Potomack which is the western boundary of Maryland. Pennsylvania by the royal grant is there entitled to run due south by the line A B for about 50 miles to the beginning of the 40th degree and then west to the end of 5 degrees from Delaware." This seems almost to have been dictated by the Penns. The second edition of this map published in London in 1775 strangely omits all of the Mason and Dixon line beyond the Maryland corner, evidently for the reason given above by Scull viz., to protect Penn's claims down to 39° in Virginia, i. e. the beginning of the 40th degree. Fry and Jefferson's map of Virginia of the same year follows this also, but runs the line from the corner of Md. southward to Lord Fairfax's line. The Pownall maps of N. A. of 1777 have interesting variations on this.

Cf. discussions under Extension of Mason and Dixon Line.

Dec. 24. Accounts. Joseph Shippen with The Honble Proprietaries of Pennamonies disbursed by Joseph Shippen, junr for the services of the comss. . . . and surveyors . . . appointed . . . for running the lines between Maryland and Pennsylvania." 1763. 32 p. O.

MS. ORIG. Pa. Hist. Soc., MSS. Mason and Dixon survey.

Note. Bound in volume entitled "Ms. of Mason and Dixon Surveys, 1763-68. Begins Nov. 3, 1763; ends December 24, 1770. (Includes all expenses of commissioners, surveyors and Indian escorts, "for riding Express" with letters, for transportation and erection of boundary stones).

1771.

Mar. 30. Letter. Governor John Penn to Governor Eden. 2 pp. fol.

MS. ORIG. Lenox Lib., Emmet MSS. No. 14490.

ABST. Asks him to join in a proclamation on the establishment and observance of the boundary lines.

1773.

July. Answer. Governor of Pa. to questions proposed in July 1773 by the Earl of Dartmouth [as to the bounds, etc.]

PUB. Olden Time, v. I, pp. 549-552.

ABST. Gives the latitude and longitude of the chief towns. Statement of the boundary dispute and the running of the Mason and Dixon line.

Sept. 2. Act. Delaware Legislature.

ABST. Confirms the Mason and Dixon boundary and extends the divisional lines of the counties through the newly acquired strip of territory from their western termini to the boundary so established, etc. Cf. Houston, Address on the history of the boundaries of Delaware, p. 105.

1774.

May 16. Letter. Governor John Penn to Governor Robt. Eden. Ms. orig.

PUB. Md. Hist. Mag., v. 2, pp. 305-306.

ABST. Regrets that guardians of Harford will not permit the publication of a joint proclamation extending the jurisdiction of the two provinces to the Mason and Dixon line. States he will issue one *ex parte* for Pennsylvania.

Sept. 15. Broadside. Pennsylvania. Proclamation, Governor John Penn, Phila. 14 in. wide by 19 in. long. Printed by Hall & Sellers, 1774.

ORIG. Pa. Hist. Soc., Penn MSS., "Papers relating to the 3 lower counties," p. 284.

1774.

Lenox Lib., Emmet MSS. No. 14498.
Cf. Sabin Dict., Nos. 59946, 59949; Allen, Cat. Penn Papers, No. 161; Hildeburn, No. 3088.

ABST. Recounting the various articles of agreement and decrees, and announcing that these lines have been run, marked with visible stones, pillars and other land marks, and an exact plan or map of the lines "may at large appear." "Whereas in 1769 a joint petition by the proprietors was presented to the King, asking his ratification, wherein His Majesty, by order of the council, Jany. 11, 1769, gave his approbation. Therefore, all living westward or northward of these lines are ordered to yield obedience to the laws of the povince. By His Lordship's command, Jos. Shippen, Jr., Secretary. MS. endorsement."

1775.

April 8. Proclamation of Governor of Pennsylvania announcing ratification of Mason and Dixon line. Broadside, Phila.

PUB. Houston, Address on hist. bound. Del., p. 106. Cf. Sabin Dict. No. 59951.

EXTENSION OF MASON AND DIXON LINE.

1770.

Jan. 3. MAP. Tilghman, James. Pen and ink original including 39°-42° N. Lat. 8 x 12½.

Pa. Hist. Soc., Penn MSS. "Boundaries," p. 118.
Cf. Allen, Cat. Penn Papers, No. 140; also letter 31 Jan., 1774.

Note. Drawn to illustrate the dispute with Gov. Dunmore of Va. regarding extension of Mason and Dixon line.

June 4. Letter. Geo. Croghan to Arthur St. Clair.

PUB. Smith, St. Clair papers, v. 1, pp. 262-264. See also footnote.

ABST. Complains because Penn took no measure to ascertain his bounds. Extension of line by Mason and Dixon beyond end of Md. was *ex parte*. Has written Mr. Tilghman.

Note. This dispute led to the sending of Tilghman with Allen to Williamsburg to arrange with Gov. Dunmore for running a line.

1772.

Nov. 28. Letter. Richard Penn to Edw. Physick, Receiver General of Pa. 1 p. Q.

MS. ORIG. Lenox Lib., Emmet MSS. No. 14509.

ABST. £50 to be paid Archibald McClean on his expenses in running a line westward from Mason and Dixon's line to ascertain westing of Fort Pitt from the Delaware.

1774.

Jan. 31. Letter. Governor Penn to Governor Dunmore.

PUB. Smith, St. Clair papers, v. 1, pp. 277-279.
Olden Time, v. 1, pp. 457-459.

ABST. Describes running of Mason and Dixon line in 1768, the line north from the 233d milestone, the calculations by Dr. Smith and Mr. Rittenhouse. Enclosed a map illustrating these lines and hopes for peace until commissioners can be agreed on to run a temporary line.

Mar. 3. Letter. Governor Dunmore to Governor Penn.

PUB. Smith, St. Clair papers, v. 1, pp. 285-287.

ABST. Insists on right of Virginia to country up to Pittsburg and demands apologies of western agents of Pa. for encroachment.

Mar. 31. Letter. Governor Penn to Governor Dunmore.

PUB. Smith, St. Clair papers, v. 1, pp. 287-291.

ABST. Pennsylvania cooperated in 1752 with Virginia to erect forts on the Ohio to repel the French, but with the understanding it was without prejudice to Pennsylvania's title. Quotes correspondence between Govs. Dinwiddie of Va. and Hamilton of Pa. as evidence. Only a temporary line had been run at this time. Petition for a commission to mark boundaries with Va. is now before the King.

1774.
Apr. 28. Letter. Arthur St. Clair to Benjamin Chew.

PUB. Smith, St. Clair papers, v. 1, pp. 295-296.

ABST. Refers to a certain official act of Virginia's that Chew may use when he goes to the Williamsburgh conference.

Note. Tilghman and Allen, but not Chew met Gov. Dunmore.

May 7. Commissions and Instructions to James Tilghman and Andrew Allen and their report made to Governor Penn on their return, 7 June, 1774. 3 pp. fol.

MS. COPY. Pa. Hist. Soc., Penn MSS. "Boundaries."
Cf. Olden Time, 1846, v. 1, pp. 482-485.
Pa. Col. Records, v. 3, pp. 455-461.
Hening's Statutes of Virginia
Hinsdale, Old Northwest, p. 109.

June 7. Report of Messrs. Tilghman and Allen concerning their conference with Governor Dunmore at Williamsburg, Va., May 23-27 entered on the Minutes of the Pennsylvania Council, 27 June, 1774.

MS. COPY. Pa. Hist. Soc., Penn MSS., "Boundaries," after above commissions.

Cf. Olden Time, 1846, v. 1, pp. 482-510.

ABST. Contains complete account of this conference and copies of papers exchanged.

June 20. Letter. James Tilghman to Arthur St. Clair.

PUB. Smith, St. Clair papers, v. 1, pp. 313-314.

ABST. Could not bring Gov. Dunmore "to any more reasonable temporary lines." "Offered the Monongahela which he would not agree to."

1774. Proclamation. Gov. John Penn on Lord Dunmore's intrusion and the boundary line.

Cf. Allen, Catl. Penn Papers, No. 161.

1775.
Sept. 5. Letter. Thomas Smith to Arthur St. Clair.

PUB. Smith, St. Clair papers, v. 1, p. 360.

ABST. Congress might settle temporary boundaries. The Monongahela would greatly favor Virginia by Mr. Hooper's map according to which and St. Clair's and Rittenhouse lines Fort Pitt is 4 to 6 miles within Pa. Hooper is an authority on the side of Va.

Note. Monongahela as west boundary of Pa. would have shortened the Mason and Dixon line by 10 miles east of Dunkard Creek where those surveyors ended. Pittsburg is really 30 miles inside the Pennsylvania boundary.

1776. MAP of the British Empire in North America. By Samuel Dunn, Lond., Snyder and Bennett. 1776. 1 in.=250 miles. 12 x 18½. In Jefferys Amer. Atlas.

One of the first maps to show the continuation of the Mason and Dixon line to the Ohio river. The western boundary of Md. is placed at Fort Cumberland.

1776. MAP. New and correct map of North America . . . corrected from the original materials of Governor Pownall 1777. 1 in.=135 miles. 47 x 40 in. in Faden's Atlas of N. A., Lond. 1777.

Text on map. "The limits of Pensulvania with Maryland are not yet finally determined."

Note. The boundary ends at the southwest corner of Pa.

1776.

June 15. **Proposal for a boundary line with Pennsylvania, made by Virginia. Revolutionary Convention.**

Cf. Veech, Monongahela of Old, pp. 252-253.

ABST. Began at northwest corner of Maryland and ran to the mouth of Plum Creek on the Allegheny. Rejected by Pa., Sept., 1776.

Sept. **Rejection of Virginia's proposal for a temporary western boundary line to commence at the northwest corner of Maryland by Pennsylvania Convention.**

Cf. Veech, Monongahela of Old, p. 253.

Dec. 18. **Resolution making proposition for the settlement of the boundary dispute. Virginia State Legislature.**

PUB. Hening's Stat. Va., v. x, p. 520.
Va. Rev. Code, 1819, ch. 16, p. 51.
Cf. History of Allegheny Co., p. 72.

ABST. For a serpentine west boundary. Parallel to bends of Delaware river.

1778. **New map of the Western part of Virginia, Pennsylvania, Maryland and North Carolina. By Thos. Hutchins, engraved by T. Cheevers, Lond. 1778. 1 in.=20 miles. 43 x 35 inches. Accompanying his "Topographical description of Virginia" etc. U. S. Dept. of State copy in Lib. Congress.**

Text on margin "N. B. The southern line of Pennsylvania beyond the western extent of Maryland is laid down only as a temporary line, the claims of Virginia and Pennsylvania about their respective boundaries . . . not being settled.

Note. The continuation of Mason and Dixon's line from Dunkard Creek to the Ohio River is marked differently from the main line which deflects somewhat from a parallel of latitude. There is no west boundary for Pa. "Lord Fairfax line" as on Fry and Jefferson. Dunn's North America 1776, also shows the continuation to the Ohio and Faden's of 1777 stops the line at the Monongahela river. Hinton's "New and accurate map of Pa., 1780, Lenox Lib. Emmet MSS. No. 6046, a grotesque compilation of these lines showing the "Boundary line of Phila. run in 1730." Hutchins was afterwards "Geographer General" of the U. S. and a surveyor of the western boundary.

1779.

May 20. **Resolution. Va. House of Delegates.**

PUB. Hening's Statutes of Virginia, v. x, p. 520.

ABST. Governor to inform Pa. commiss. that the Assembly will nominate commissioners for adjusting the boundary.

Note. Agreed to by Senate May 21.

June 4. **Resolution. Va. House of Delegates.**

PUB. Hening's Statutes of Virginia, v. x, p. 520.

ABST. Three commissioners should be appointed and proceedings passed upon by the Assembly.

Note. Agreed to by the Senate.

Aug. 27. **Proceedings. Va. and Pa. Commissioners at Baltimore.**

PUB. Hening's Statutes of Virginia, v. x, p. 521.

ABST. Credentials shown Pa. commissioners. Claims to be stated in writing [see letter I next entry].

Note. James Madison, Robt. Andrews and Thos. Lewis (latter absent) for Va. Geo. Bryan, John Ewing and D. Rittenhouse for Pa.

1779.

Aug. 28. **Letter. Pennsylvania Commissioners to Virginia Commissioners. Letter I.**

PUB. Hening's Statutes of Virginia, v. x, pp. 521-524.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, pp. 282-284.

ABST. Recite their charter to show basis of their claims to 39° and propose "that a meridian be drawn from the head spring of the north branch of Potowmack to the beginning of the fortieth degree of north latitude, and from thence that a parallel of latitude be drawn to the western extremity of the state of Pennsylvania."

Aug. 30. **Letter. Virginia Commissioners to Pennsylvania Commissioners. Letter II.**

PUB. Hening's Statutes of Virginia, v. x, pp. 524-528.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, pp. 285-288.

ABST. Argue that their charter of May 23, 1609, would include all west of a northwesterly line crossing the Delaware above New Castle. Propose continuing Mason and Dixon line.

Aug. 30. **Letter. Pennsylvania Commissioners to Virginia Commissioners. Letter III.**

PUB. Hening's Statutes of Virginia, v. x, p. 529-530.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, pp. 288-289.

ABST. Accept proposal to extend Mason and Dixon line provided a meridian be drawn far enough west to give an equivalent area of land to that lost on the south.

Aug. 30. **Letter. Virginia Commissioners to Pennsylvania Commissioners. Letter IV.**

PUB. Hening's Statutes of Virginia, v. x, p. 530.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 289.

ABST. Proposes line "due west from that point where the meridian of the first fountain of the north branch of Patowmack meets the end of the thirtieth minute of thirty-ninth degree of northern latitude, five degrees of longitude to be computed from that part of the river Delaware which lies in the same parallel."

Aug. 31. **Letter. Virginia Commissioners to Pennsylvania Commissioners. Letter V.**

PUB. Hening's Statutes of Virginia, v. x, p. 531.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 290.

ABST. Accept proposal provided a "meridian line drawn northward from the western extremity thereof [the western line], as far as Virginia extends, (to) be the western boundary of Pennsylvania."

Aug. 31. **Letter. Virginia Commissioners to Pennsylvania Commissioners. Letter VI.**

PUB. Hening's Statutes of Virginia, v. x, p. 532.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 290.

ABST. Propose to extend Mason and Dixon line due west five degrees of longitude, computed from Delaware and erect meridian from that point. (Present boundary.)

Aug. 31. **Letter. Pennsylvania Commissioners to Virginia Commissioners. Letter VII.**

PUB. Hening's Statutes of Virginia, v. x, p. 532.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, pp. 290-291.

ABST. Accept last proposal.

1779.

Aug. 31. Journal of the Proceedings of the Commissioners to agree upon certain boundaries for the state of Pennsylvania. Baltimore, August 27-31, 1779.

PUB. Hening's Statutes of Virginia, v. x, pp. 521-533.
Pa. Col. Rec., v. xii, pp. 16, 703-705.
Pa. Arch., ser. 2, v. 9-10.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, pp. 282-291.
Olden Time, v. 1, p. 451 (Oct., 1846).

ABST. The best account of this conference. It shows how each side asked for a maximum and then by reciprocal concessions reached the lines as they now are. The agreement was ratified by Virginia June 23, by Pennsylvania Sept. 23, 1780.

Aug. 31. Agreement of Commissioners for Southern and Western Boundary of Pennsylvania.

PUB. Hening's Statutes of Virginia, v. x, pp. 521-533.
Pa. Rept. Sec. Int. Aff., "Boundaries," 1887, p. 291.

ABST. Agreement under which Mason and Dixon line was extended and present boundaries of Pennsylvania determined.

Aug. 31. Letter. Vice Pres. Geo. Bryan of Pa. to Pres. Joseph Reed.

PUB. Olden Time, v. 1, p. 451 (Oct., 1846) footnote.

Aug. (?) "Draught" of the southern part of Pennsylvania and northern part of Maryland and Virginia, with notes by the draughtsmen. Rev. John Ewing and Alex. Stuart.

PUB. Olden Time, v. 2, pp. 284-285. Notes printed.

Nov. 19. Ratification by Pennsylvania Assembly of boundary line with Virginia.

PUB. Hening's Statutes of Virginia, v. x, p. 534.

ABST. Repeats agreement of the Commissioners of Aug. 31, 1779.

Dec. 27. Act. Continental Congress. 27 December 1779 relative to the boundary line between Pennsylvania and Virginia, and recommendations to the contending states.

PUB. Penton, Hist. Augusta Co. [Va.], p. 126.
Cf. Barton, Memoirs of David Rittenhouse, p. 284.

1780.

June 23. Resolution. Virginia General Assembly. House of Delegates. Ratifying the agreement of August 31, 1779, between the Virginia and Pennsylvania Commonwealths.

PUB. Va. House of Delegates. Journal, May, 1780, pp. 60-61.
Calendar of Virginia State Papers, v. 1, p. 363.
Pa. Arch., ser. 2, v. 8, pp. 352-353.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, pp. 292-293.
Hening's Statutes of Virginia, v. x, pp. 535-536.
Cf. Hist. Allegheny Co., p. 73.

ABST. Authorizes the governor to appoint two commissioners for extending the Mason and Dixon line.

Sept. 23. Resolutions. Pennsylvania General Assembly. Ratifying the conditions annexed by the legislature of Virginia to the ratification of the boundary line as to allegiance and property rights.

PUB. Pa. House of Rep., Journal, 1780, p. 519.
Pa. Arch., ser. 2, v. 8, p. 570.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, pp. 293-294.
Calendar of Virginia State Papers, v. 1, p. 375.
Cf. Hist. Allegheny Co., p. 73; Veech, Monongahela, p. 255; Smith, Laws Pa., v. 2, p. 261.

1781.

Feb. 21. **Resolution. Pennsylvania Council. Appointing John Lukens and Archibald McClean commissioners to extend Mason and Dixon line.**

PUB. Pa. Col. Rec., v. 12, p. 633.
Pa. Rept. Sec. Int. Aff. "Boundaries." 1887, pp. 294-295.
Calendar of Va. State Papers, v. 1, p. 531.

ABST. Appoints May 10 for first meeting and in case of inability of either to perform their duty Alexander McClean is to take their place.

Feb. 26. **Letter. President Joseph Reed to Governor Thomas Jefferson.**

PUB. Calendar Va. State Papers, v. 1, p. 542.
Cf. April 17, 1781, letter of Jefferson.

ABST. Incloses notice of appointment of commissioners. Asks to be informed of action of Virginia Legislature.

April 4. **Letter. Robert Andrews to Governor Thomas Jefferson.**

PUB. Calendar Virginia State Papers, v. 2, p. 11.

ABST. Approves method proposed and says he will be at the Philadelphia meeting.

Note. Andrews was professor and Madison president of William and Mary College when appointed commissioners for Va.

April 17. **Letter. Governor Thomas Jefferson to President Joseph Reed.**

PUB. Pa. Arch., ser. 2, v. 9, p. 78.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 295.

ABST. Proposes astronomical determination of 5° of longitude and announces appointment of Messrs. James Madison and Robert Andrews commissioners for Virginia.

Note. Jefferson's plan was the one finally adopted in 1784.

April. 20. **Order. Pennsylvania Council. Providing escort, munitions and supplies for commissioners and their attendants.**

PUB. Pa. Col. Records, v. 12, p. 699.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 298.

ABST. Provides for escort of 40 men, making a total field party of over 50.

April 23. **Instructions to John Lukens and Archibald McClean, Esqrs. Commissioners appointed on the part of Pennsylvania.**

PUB. Pa. Colonial Rec., v. 12, pp. 703-705.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, pp. 297-298.

ABST. Gives orders for running and marking a line in accordance with the agreement of Aug. 31, 1779.

April 23. **Order. Pennsylvania Council on treasurer for £400 to pay expenses for running boundary line.**

PUB. Pa. Colonial Records, v. 12, pp. 703-705.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 297.

ABST. The instructions accompanying order define the line as cut 15 feet wide and all large trees suitably marked.

May 14. **Letter. President Joseph Reed to Governor Thomas Jefferson.**

MS. ORIG. Va. State Archives, Richmond. Cf. Creigh, apx., p. 30.
PUB. Calendar Va. State Papers, v. 2, p. 95.
Creigh, Hist. Wash. Co. [Pa.], apx., p. 30.

ABST. Agrees to astronomical determination but suggests that a temporary line be run by common surveyors and that trees be marked to quiet the people and to determine jurisdiction and military service.

1781.

May 22. Letter. Governor Thomas Jefferson to President Joseph Reed.

PUB. Pa. Arch., ser. 2, v. 9, p. 160.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 298.

ABST. Believes delay is necessary on account of expected attack by the British which threatens the families of the commissioners.

June 3. Letter. Governor Thomas Jefferson to President Joseph Reed.

MS. ORIG. Lenox Lib., Emmet MSS. No. 14573.
PUB. Pa. Arch., ser. 2, v. 9, p. 189.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 299.

ABST. Concurs in postponement of boundary determination until May 1, 1782, and agrees to the running of a temporary line.

July Letter. President Joseph Reed to Hon. C. Hays.

PUB. Pa. Arch., ser. 2, v. 9, p. 301.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 299.

ABST. Tells of postponement of final survey, agreement for temporary line, and appointment of Alexander McClean as surveyor.

July Letter. President Joseph Reed to Col. James Marshall.

PUB. Pa. Arch., ser. 2, v. 9, p. 304.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 299.

ABST. Orders guard for surveyors running the temporary line.

Letter. President Joseph Reed to Thomas Scott.

PUB. Pa. Arch., ser. 2, v. 9, p. 374.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 300.

ABST. Explains the running of temporary line and postponement of permanent determination.

Sept. 13. Letter. Alexander McClean to President Joseph Reed.

PUB. Pa. Arch., ser. 2, v. 9, p. 402.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 301.

ABST. Relates happenings since his appointment including delayed presence of Madison and opposition of inhabitants to the running of the line.

Letter. Thomas Scott to President Joseph Reed.

PUB. Pa. Arch., ser. 2, v. 9, p. 439.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 302.

ABST. Says delay in running the boundary line is due to Mr. Madison who has sent to Virginia asking that the line be not run.

Oct. 8. Resolutions. Pennsylvania Council. Appointing Rev. Dr. John Ewing and David Rittenhouse commissioners for running the boundary line.

PUB. Pa. Colonial Records, v. 13, p. 79.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 302.

Nov. 6. Letter. Lieut. Joseph Marshall to President Joseph Reed.

PUB. Pa. Arch., ser. 2, v. 9, p. 444.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 304.

ABST. Has had trouble with Indians necessitating a raising of a new guard for the surveyors which has been difficult on account of unsettled boundaries.

Dec. 17. Letter. President Moore to Gen. William Irvine.

PUB. Pa. Arch., ser. 2, v. 9, p. 468.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 304.

ABST. Regards it unnecessary to push the temporary line as propositions are making for running in the spring a permanent line based on astronomical observations.

Note. This plan failed on account of absence of Va. commissioners.

1782.

Feb. 11. Resolution. Pennsylvania Council. Appointing Owen Biddle one of the commissioners for running the boundary line of Virginia.

PUB. Pa. Colonial Records, v. 13, p. 92 or 192.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 305.

Feb. 22. Resolution. Pennsylvania Council. Appointing James Patterson one of the commissioners for running the boundary line of Virginia.

PUB. Pa. Col. Rec., v. 13, p. 205.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 305.

Mar. 1. Minute of meeting. Pennsylvania Council.

PUB. Pa. Colonial Records, v. 13, p. 209.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 306.

ABST. Council decided not to run the line by astronomical observation on account of protest by General Assembly because of great expense involved while funds were required to meet the enemy.

Mar. 2. Minutes of Meeting. Pennsylvania General Assembly.

PUB. Pa. Assembly Minutes, 1781-84, p. 854.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 306.

ABST. Assembly confirm the agreement between their committee and the Council to defer running a permanent boundary until close of the war.

Mar. 9. Letter. Robert Andrews to Governor Harrison.

PUB. Calendar of Virginia State Papers, v. 3, p. 89.

Mar. 22. Letter. Governor Benjamin Harrison to President Moore.

PUB. Pa. Arch., ser. 2, v. 9, p. 518.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 307.

ABST. Agrees to the running of the temporary line to begin from end of Mason and Dixon line.

Mar. 22. Resolution. Pennsylvania General Assembly. Confirming the line, run by Messrs. Nevell and McClean as the boundary until the final settlement thereof can be obtained.

PUB. Pa. Assembly Minutes, 1781-84, p. 880.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 315.

ABST. This also calls for the communicating of this document to Virginia and the issuance of a proclamation.

Mar. 24. Letter. Thomas Jefferson to [unknown] Draft Q. 2 pp

MS. U. S. State Dept. Jefferson MSS. ser. 1, v. 1, No. 99.

ABST. Describes sentiment of people along Ohio regarding territorial rights of Virginia.

Mar. 26. Proclamation. Pennsylvania.. President and Council. Announcing the settlement and running of the Meridian and Mason and Dixon extension boundary line and calling upon the inhabitants falling within the state of Pennsylvania to pay obedience to the laws of the Commonwealth.

PUB. Pa. Colonial Records, v. 13, p. 541.
Pa Rept. Sec. Int. Aff. "Boundaries," 1887, p. 316.

April 8. Minute of meeting. Pennsylvania Council.

PUB. Pa. Colonial Records, v. 13, p. 253.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 307.

ABST. Orders the treasurer to pay Alexander McClean for services and orders assignment of guard for commissioners.

1782.

April 26. Letter. Governor Benjamin Harrison to President Moore.

PUB. Pa. Arch., ser. 2, v. 9, p. 533.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 308.

ABST. Confuses temporary line of surveyors with "temporary line" of 1739 and urges that line run must be from end of Mason and Dixon line.

May 22. Letter. Governor Benjamin Harrison to General William Irvine.

PUB. Pa. Arch., ser. 2, v. 9, p. 585.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 313.

ABST. Notifies of change of date to July 10 for meeting of commissioners.

May 24. Letter. Governor Benjamin Harrison to President Moore.

PUB. Pa. Arch., ser. 2, v. 9, p. 549.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 308.

ABST. Expresses dissatisfaction with *ex parte* line run by Pennsylvania and states that matter is now before the Virginia Assembly.

June 1. Resolution. Virginia House of Delegates.

PUB. Pa. Arch., ser. 2, v. 9, p. 562.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 309.

ABST. Resolution empowering Governor to appoint surveyor and furnish guard for extension of Mason and Dixon line and running of meridian line to Ohio River.

June 27. Letter. Alexander McClean to President Moore.

PUB. Pa. Arch., ser. 2, v. 9, p. 564.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 309.

ABST. Explains failure to run line due to lack of guard, absence of Virginia commissioner and opposition of inhabitants, who fear that they will have to pay taxes on supply bill, etc. "It will be impossible to proceed without open war."

June 29. Letter. Governor Benjamin Harrison to President Moore.

PUB. Pa. Arch., ser. 2, v. 9, p. 562.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 311.

ABST. Confirms letter of June 8 transmitting resolution of Virginia Assembly regarding the running of a temporary line.

July 5. Letter. General William Irvine to President Moore.

PUB. Pa. Arch., ser. 2, v. 9, p. 575.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 312.

ABST. Announces non-appearance of Virginia commissioners and refuses to interfere in a matter between the two states.

July 16. Letter. Alexander McClean to President Moore.

PUB. Pa. Arch., ser. 2, v. 9, p. 585.
Pa. Rept. Sec. Int Aff. "Boundaries," 1887, p. 313.

ABST. Incloses letter from Governor Harrison to General Irvine and says he is determined to proceed at all hazards.

July 18. Minute of meeting. Pennsylvania Council.

PUB. Pa. Colonial Records, v. 13, p. 334.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 313.

ABST. Resolved that the 4th of November next be the time appointed for running the line and that a guard of 100 militia attend the commissioners while on duty.

Aug. 1. Letter. Governor Benjamin Harrison to President William Moore.

PUB. Pa. Arch., ser. 2, v. 9, p. 607.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 314.

ABST. Announces appointment of Col. Joseph Nevill as surveyor and ordering of guard of 100 militia. If the latter is not sufficient to overcome opposition will send more.

1782.

Aug. 31. **Letter. Col. Joseph Nevill to Governor Benjamin Harrison.**

PUB. Calendar Va. State Papers, v. 3. p. 283.

ABST. Accepts appointment as surveyor and reports ordering 150 militia.

Sept. 10. **Minute of Meeting. Pennsylvania Commissioners.**

PUB. Pa. Arch., ser. 2, v. 9, p. 566.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 311.

ABST. Consider protest of Virginia inhabitants to running of the line.

Nov. 28. **Report. Joint Commissioners.**

PUB. Calendar Va. State Papers, v. 3, p. 380.

ABST. Report extension of Mason and Dixon line 23 miles and running of meridian line to Ohio River.

1783.

Feb. 19. **Minute of Meeting. Pennsylvania Council.**

PUB. Pa. Colonial Records, v. 13, p. 510.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 314.

ABST. Order laying on the table letter of Alexander McClean inclosing report of proceedings of joint commission.

Feb. 28. **Draft of Message. Pennsylvania Council to General Assembly transmitting report of Boundary Line Commissioners.**

PUB. Pa. Colonial Records, v. 13, p. 518.
Pa. Rept. Sec. Int. Aff. "Boundaries," 1887, p. 314.

Mar. 19. **Letter. Col. Joseph Nevill to Governor Benjamin Harrison.**

PUB. Calendar Va. State Papers, v. 3, p. 549.

ABST. Incloses expense account and states that Pennsylvania furnished 16 and Virginia 82 men for a guard.

Aug. 28. **Resolution. Pennsylvania Assembly.**

ABST. Appointing Commiss. to determine the boundary line with directions to provide the necessary astronomical apparatus.

Note. Order of the Council was passed Sept. 11.

1784.

April 1. **An Act confirming an agreement entered into between this State and the state of Virginia. Pennsylvania General Assembly.**

MS. ORIG. Pa. Law Book No. 11, p. 332.

PUB. Smith, Laws, v. 2, pp. 261-262.
Pa. Rept. Secy. Int. Aff. "Boundaries," 1887, pp. 326-7.

Note. Accepts boundaries as marked.

June 8. **Letter. Governor Benjamin Harrison to President Moore.**

Cf. letter of June 29.

Nov. 18. **Joint report of the Commissioners on the boundary line between Virginia and Pennsylvania.**

PUB. Peyton, Hist. Augusta Co., Va., pp. 132-133.
Creigh, Hist. Wash. Co., Pa., apx., pp. 31-32.

ABST. Continuing Mason and Dixon boundary to its termination, cutting vistas and marking it permanently. Signed in Washington Co., Pa., by Robt. Andrews, John Ewing, Andrew Ellicott, David Rittenhouse and Thos. Hutchins.

Dec. 23. **Report of Pennsylvania Commissioners to Executive Council of Pennsylvania.**

PUB. Peyton, Hist. Augusta Co., Va., pp. 133-136.
Creigh, Hist. Wash. Co., Pa., apx., pp. 32-34.

ABST. Proceedings in full in running permanent extension of Mason and Dixon's line. Signed by John Ewing, John Lukens, David Rittenhouse and Thomas Hutchins.

SOUTHWEST CORNER OF PENNSYLVANIA.

Note. The observations of occultation of Jupiter's satellites by Commissioners Rittenhouse, Loure, Page and Andrews at Wilmington, Del., and by Elliott, Ewing and Madison at the western end of the extension of the Mason and Dixon line, were primarily undertaken to determine by the best methods then known the exact end of the line. The records of this survey are not included because of lack of space and because this work was the beginning of the meridian western boundary of Pa.

1785.
Aug. 23. Report of Commissioners of the Pennsylvania-Virginia boundary.

PUB. Olden Time, v. 1, p. 454 (extract).
Also text, in part, in Lambing and White, Allegheny Co., p. 50 (extract).

1792. MAP. Lawce Brenyel, Jr. Jan 7, 179 [2 ?]

[Northwestern boundaries of Maryland].
MS. COPY. 1 in.=3 mi. Rivers, roads and boundaries in colors, 35½x20½ in. In U. S. Chief of Engineers Office.
MS. RE-COPY. By B. B. Lebenon of Pa. Dept. Int. Aff., May, 1882, in Pa. Hist. Soc., No. Of 835.
Note. Shows Pa. line from Wills Creek (above Ft. Cumberland) to N. W. corner Md. and the west line of Md. thence to Fairfax stone.

"TANGENT POINT" RESURVEY BY GRAHAM.

1846.
Feb. 11. Maryland General Assembly. Preamble and resolutions relating to the boundary line between this State and Pennsylvania, passed February 11, 1846.

PUB. Laws of Md., Dec. Sess., 1845. Res. No. 18.

1847.
Feb. 10. Resolution. Delaware Legislature. Authorizing appointment of a commissioner to mark boundary.

MS. COPY. By Lt. Col. J. D. Graham. In U. S. Chief Engr. Office.

1849.
April 10. Pennsylvania General Assembly. Supplement to an Act entitled "An Act Relative to the Organization of Courts of Justice," passed the 14th day of April, A. D., 1834. Passed April 10, 1849.

Pat. Laws of Pennsylvania, 1849, p. 623. Sec. 14.
ABST. Appointment of Commissioner to survey and determine the point of intersection of the States of Pennsylvania, Delaware and Maryland and to fix some stable mark or monument whereby the said point may hereafter be indicated.

Aug. 24. Commission. Governor Thomas of Maryland to H. G. S. Key.

ABST. Appointing him as commissioner to ascertain and refix, with commissioners of Delaware and Pennsylvania, certain boundaries where the three States join each other.

Oct. 22. Letter. Gov. Thomas to Sec'y of War.

MS. ORIG. 8 pp. U. S. Chief of Engr. Office.
ABST. Commissioners for ascertaining the beginning of boundary of the Mason and Dixon line at a meeting Wilmington Nov. would like the detail of Col. Hughs or some other officer of the corps of engineers.

1849.

Oct. 23. Letter. Secretary of War Crawford to Governor Thomas.

MS. COPY. 1 p. U. S. Chief of Engr. Office.

ABST. Has delegated Lieut. Col. Graham, Corps of Topographic Engineers to report at Newcastle on Nov. 5 to assist the boundary line commissioners.

Oct. 24. Letter. Col. J. J. Abert, U. S. Topog. Engineers, to Lt. Col. J. D. Graham. 1 p.

MS. ORIG. U. S. Chief of Engr's Office.
MS. COPY. In same office.

ABST. Detailing him on boundary survey and granting use of Bureau's instruments. Expense to be met by the states.

Oct. 24. Letter. Col. J. J. Abert, U. S. Topog. Engineers, to Gov. Thomas.

MS. COPY. U. S. Chief of Engr's Office. 1 p.
Enclosed in letter of Col. Abert to Col. Graham, Oct. 29, 1849.

ABST. Detailing Lt. Col. Graham whose first duty will be to inspect the notes of Mason and Dixon at Annapolis.

Oct. 30. Record Report, Notes and Memoranda relating to boundary of Three States by J. D. G.[raham]

MS. ORIG. U. S. Chief Engr's Office.

ABST. Journal of this Survey Oct. 30, 1849. Unfinished mem. of early history made at Annapolis, March 11, 1850. Approximate computation for the angle between radius and tangent line, Feb. 2, 1850. Computations for length of radius of Newcastle. Offsets computed between Tangent stone and "Intersection stone." Extracts from proceedings of commiss. of boundary surveys 1732-1768 loaned by Md.

Nov. 12. Letter. Joint Commissioners to Lt. Colonel J. D. Graham.

PUB. Pa. Sen. Jour., v. 2, p. 478.
Pa. Rept. Secy. Int. Aff. "Boundaries," 1887, p. 334.

ABST. Announces readiness to proceed and outlines extent of work proposed.

Nov. 15. Letter. J. D. Graham to Joint Commissioners.

PUB. Pa. Sen. Jour., 1850, v. 2, p. 479.
Pa. Rept. Secy. Int. Aff. "Boundaries," 1887, pp. 334-336.

ABST. Outlines plan of method proposed.

Nov. 15. Letter. Joint Commissioners to Lt. Colonel J. D. Graham.

PUB. Pa. Sen. Jour., 1850, v. 2, p. 475.
Pa. Rept. Secy. Int. Aff. "Boundaries," 1887, pp. 336-337.

ABST. Agrees with the plan outlined by Colonel Graham.

1850.

Jan. 21. Letter. C. Radziminski to Lt. Col. Graham. 2 p.

MS. U. S. Chief Engr's Office.

ABST. Will complete erection of signals and triangulation in 5 days. An early meeting in Washington suggested to close up the work.

Feb. 1. Record. J. D. Graham. Angles observed at Iron Hill. 1 book.

MS. ORIG. U. S. Chief of Engineers Office.

Feb. 6. Surveying notes of Mason and Dixon's line between Pa. Del. and Md. [16 Nov. 1849 to Feb. 1850 ?] C. Radziminshi. Unpaged.

MS. ORIG. U. S. Chief of Engr's Office.

1850.

Feb. 9. Journal of Survey. J. D. Graham. 1 ms. 27 sh.

MS. ORIG. U. S. Chief Engr. Off.

ABST. "Journal of survey dated December 29, 1849, to February 9, 1850, containing miscellaneous notes concerning the boundary."

Note. The memoranda include:—
1. Col. Graham's report to the Commissioners. 2 copies MSS. as printed in the 1850 edit., pp. 18-87.
2. Notes on the surveys of the boundary lines between Maryland, Delaware and Pennsylvania from 1732-1763. 34 pp.
3. "Mema. in relation to our own work," Nov. 9, 1849, to Dec., 1849.
4. Various extracts from state resolutions, Mason and Dixon Journal, etc., referring to this work.

Feb. 12. Act No. 62. Pennsylvania General Assembly. To provide for the expenses of the Commissioners to determine and fix the boundary lines of the States of Pennsylvania, Maryland and Delaware. Passed February 12, 1850.

Laws of Pennsylvania, 1850, p. 61.

Feb. 27. Report. J. D. Graham to the Joint Commissioners of the States of Pennsylvania, Delaware and Maryland in relation to the junction or intersection of the boundary lines of those States. 171 p. foolscap. Signed Colonel Graham. Bound in ledger form. Filed March 25, 1850. A. L. Russell, Sec. Commonwealth.

MS. ORIG. Pa. Secy. State, v. E, No. 20.
Del. Secy. State.
Md.

MS. COPY. U. S. Chief Engrs. Off., 2 copies.
Pa. Hist. Soc., Md. & Del. Surveys MSS.

PUB. Pa. Sen. Jour., 1850, v. 2, p. 475.
Pa. Rept. Secy. Int. Aff. "Boundaries," 1887, pp. 339-375.

Note. Map 7¾ x 10¾; on scale of 1 in. = 10 miles. Orig. copper plate(?) in U. S. Chief Engineer's Office. In Graham's Report. Which see.

Feb. 27. MAP showing a portion of the boundaries of Maryland, Pennsylvania and Delaware as surveyed in 1849-1850 under the direction of Lieutenant Colonel J. D. Graham, U. S. Topographical Engineers, at the request of H. G. S. Key, Joshua P. Eyre and George Read Riddle, Commissioners of the respective States. 1 in.=4 mi. 20¾ in. x 35⅝ in. Bound at edge with green silk. Drawn under direction of Lt. Colonel J. D. Graham by C. Radziminshi, C. E.

Certified copies differing slightly filed with Md. Land Office; Del. Secy. State, Pa. Secy. Int. Aff.

Note. Begins at 79th stone monument from the Maryland-Delaware corner going north, set in 1766. Shows the "segment of circle as marked by Mason and Dixon" and the "due north line" to north east corner of Maryland, where a "stone monument [was] erected in 1849 in place of lost monument erected in 1768 (near Lewis Martin's barn, on the road from Newark to New London)" and as far as stone 32 erected in 1766 on western parallel of latitude (near road from Elkton to New London).

Also shows lines of triangulation; radius of 12 miles from "centre of Newcastle Court House;" magnetic meridian distances from N. E. corner of Md. to the circular boundary at several angles.

Feb. 27. MAP [Reduced from the above original mss]. Drawn under the direction of Lt. Col. J. D. Graham by Chas. Delisle, C. E. Scale of 1½ in. to 21 mi. or 1:42,240. 13½ x 7½ in.

MS. With Graham's auto sig. U. S. Chief Engr's Office.
Cf. Lenox Lib., Emmet MSS. No. 14461.

1. Copper plate original "belonging to the State of Maryland to be returned if called for before Col. Graham's final report is made" ms. note on wrapper.

1850.

2. Wood block essay of the above with incomplete outline probably abandoned in favor of copper plate.
3. Tracing on tissue for above wood block.
U. S. Corps of Engineers Office.

Mar. 1. Joint report of the Commissioners to Governors of Maryland, Pennsylvania and Delaware.

PUB. Pa. Sen. Jour., 1850, v. 2, pp. 477-478.
Pa. Rept. Secy. Int. Aff. "Boundaries," 1887, pp. 331-333.

ABST. Gives short account of the work done by them.

Mar. 7. Message. Governor of Maryland to the State General Assembly, dated "State Department, Annapolis, Md., March 7, 1850." Transmitting report of Commissioners and of Lt. Col. Graham, including map of boundaries by Colonel Graham. 87 p. O. 1850. Washington, Gideon & Co.

Rpr. in Lt. Colonel Graham's rept., p. 1.
Cf. No. 45088 in Sabin, Dictionary of Books Relating to America.

Note. Sabin states in a note that "the cover title to this differs slightly." He has overlooked the fact that this message was printed by two states, each Governor having referred the report to his respective General Assembly. The report was also reprinted at Chicago in 1859 and again in 1862.

Mar. 8. Letter. Joseph P. Eyre to William F. Johnston, Governor of Pennsylvania.

PUB. Pa. Sen. Jour., 1880, v. 2, pp. 475-476.
Pa. Rept. Secy. Int. Aff. "Boundaries," 1887, pp. 330-331.

ABST. Transmitting Joint Report of Commissioners, correspondence and report and map of Colonel Graham.

Mar. 9. Resolution No. 94. Maryland General Assembly.

ABST. Placing in the temporary custody of Lt. Colonel Graham "the manuscript proceedings of the commissioners and surveyors including those of Mason and Dixon [together with] said articles of agreement" [between Charles, Lord Baltimore and John, Thomas and Richard Penn].

Mar. 11. Memorandum by Sec'y of State Watkins. Documents of Md. placed by Gov. Thomas in the temporary custody of Col. J. D. Graham.

MS. ORIG. U. S. Chief Engr's Office.

ABST. Includes instructions, reports, records, etc., of surveyors and commissioners of 1760-68, and some previous historical documents all receipted for by Col. Graham.

Mar. 13. Message of the Governor of Pennsylvania transmitting reports of the Joint Commissioners and of Colonel Graham, U. S. Engineers, in relation to the boundary lines between the States of Pennsylvania, Delaware and Maryland. 36 pp. O. Harrisburg, 1850.

PUB. Pa. Sen. Jour., 1850, v. 2, p. 475.
Pa. Rept. Secy. Int. Aff. "Boundaries," 1887, pp. 329-330.

1852. Messages from the Governors of Pennsylvania and Maryland, transmitting the reports of the Joint Commissioners, and of Lt. Colonel Graham, U. S. Engineers, in relation to the intersection of the boundary lines of the States of Maryland, Pennsylvania and Delaware, being a portion of the Mason and Dixon line Map. 95 pp. O. Chicago, Fulton & Co., 1859.
—Ed. 2., Chicago, 1862.

OTHER RESURVEYS.

Extended lists of the Records of documents relating to the Resurvey of the "Extension" or western end of the Mason and Dixon line between Pennsylvania and West Virginia made by Sinclair in 1883, and of the Circular Boundary between Pennsylvania and Delaware made by Hodgkins in 1892 have been omitted on account of lack of space and their less immediate connection with the limits of the present Resurvey and the historical discussion of the controversy. Information regarding the Sinclair Resurvey may be found in the Rept. Secy. Internal Affairs of Pa., "Boundaries," pp. 379-429, Harrisburg, 1887, and in the Archives of the U. S. Coast and Geodetic Survey. The record of Hodgkins survey of the Circular Boundary may be found in the Rept. U. S. Coast and Geodetic survey for 1893 Apx. 8., pp. 177-222, Washington, 1894, and Rept. Secy. Internal Affairs of Pa., 1893, Off. Doc. No. 7, pp. A134-A152.

MAPS.

Significant maps issued during the period of the grants, agreements, surveys, etc., have been treated as source material and described under the appropriate year.

There are other more general but illuminating maps on the boundaries, secondary in character, however, that can only be referred to here. For full description see Mathews, Maps and Mapmakers of Maryland; Phillips, Maps of America.

COLLECTIONS.

Volumes of reproduced maps accompany the Report on the Boundaries of the Commonwealth by the Pa. Secy. of Int. Affairs. 1887; Apx. Vols 1-10, Ser. 3, Pa. Archives, and the Rept. of the Commiss. Md.-Va. Boundary, Richmond, 1873, the latter copied from originals in England by Hon. D. C. De Jarnett in 1871.

GENERAL.

A compiled map illustrating Pennsylvania's boundary disputes appearing in Bates: Our country, p. 50, 1899, was rep. in Ferree's Pa., p. 118, Pa. Soc. of N. Y., Yearbook 1904. See also Fisher's Making of Pa., frontispiece, and Shaefer's Historical Map of Pa. (Pa. Hist. Soc. Fund Pub. 1, 1875) which shows all boundary lines. Johnston's Hist. of Cecil Co., Md., contains a compiled map by G. M. Reese of the upper peninsula, which shows all the boundaries especially the earliest essays by the proprietors, and also those of later surveys.

GRANTS AND EARLY LINES.

Among general maps of the grants are: Hart's Epoch maps illustrating Amer. history, Nos. 3 and 5, of the English colonies; also a map of the early colonial grants, 1620-1681, in Dodd, Mead and Co.'s U. S. History; and maps of English grants (1660) and Duke of York grants (1664) in MacComas Historical geography of the U. S., Boston, 1890.

A map of "The Palatinate of Maryland" in Fiske's Old Virginia, p. 274, and the frontispiece to Browne's Maryland compare the original charter boundaries with the present bounds of Md.

The earliest delimitation of Delaware from Maryland is illustrated by Keen's map of New Sweden, 1638-1655 (in Pa. Socy. of N. Y., Yearbook 1904, p. 48), showing the line to be drawn by Printz 5 miles below Cape Cornelius.

Cf. under Source material maps on which the charter makers based the boundaries of Maryland and Pennsylvania. For *Maryland:* 1608, Smith's Virginia; 1621, Jacobson, N. America; 1630, Laet, Nova Anglia; 1635,

Cecil, Noua Terrae (Lord Baltimore's map); 1673/4, Herrman, Virginia and Maryland. For *Pennsylvania:* 1650, South river; 1655, Visscher, Novi Belgii (and the 1667 Ogilby ed.); 1667, Blaau, Nova Belgica; 1671, Ogilby's new ed. of Noua Terrae; 1674, Herrman's Va. and Md.; 1681, Holme's Pa.

FIRST DECREE AND AGREEMENT.

Graham compiled the boundaries in map form preparatory to his own resurvey of the Tangent Point. (Cf. his Rept. 27 Feb., 1850, Ed. 2, Chicago, 1862). This shows in detail, scale 1 in. = 10 mi., the Delaware boundaries, the various experimental lines and the beginning of the North boundary of Md. as defined by the agreement of 1732, the Hardwicke decision of 1750, and the agreement of 1760.

Cf. also these maps under "Source Material." For *first decree:* 1690, Morden, English Empire on which the 1685 court decree is laid down; 1695, Thornton's Virginia; 1701, circle around Newcastle; and 1732, Holme's Pa. for the same. The Senex series: 1710, N. America; his 1732, First agreement map; and its 1736 editions, and also 1737, Eastburn's Delaware counties. For *temporary line:* 1738, agreement map; 1738, Fabian Marsh; 1740, Line to Conegochege; 1740, Eastburn's official map of the Survey; 1749, Evans, Pa.

FINAL DECREE AND AGREEMENT.

The frontispiece to Veech, Mason and Dixon line, 1857, gives a compilation of the Delaware boundaries, the try-lines out of Philadelphia and the main Mason and Dixon line.

Cf. these under Source Material. For carrying out the *Hardwicke decree:* 1750, Watson's, Newcastle; 1752, Original map used in suit; 1755, Emory and Kellen's Taylor's island; also cf. 1755, Evans' Middle British Colonies, and 1756, Kitchen's Penna. showing lines determined. For the *final agreement:* 1760, Agreement map; 1761, Ewing Tangent line survey.

MASON AND DIXON'S WORK.

Their plan (reproduced in this volume) of the lines, engraved by Smither (cf. Source Material, 1768) is of course the official map and shows location of each boundary monument. The crown stones every 5th mile are shown by Lucas, Maryland, 1841 (scale 1 in. = 6 mi.), as far as the 220th at the Monongahela river; also by Melish, Pennsylvania, 1822 (scale 1 in.=4 mi) and by Barnes, Pa., 1849, same scale to 250th stone at s. w. corner of Pa.

The county maps, Martenet's Harford Co., 1878, scale 1½ in. = 1 mi., and Sachse's Frederick Co., 1858, scale 1 in. = 1 mi., show the mile stone on their borders.

The location of all the stones are shown on the county maps issued by the Md. Geol. Survey.

The crossing of Susquehanna river and islands touched by the line is given on Scott's Lancaster Co., 1842.

The location of houses on South St., Phila., where Mason and Dixon began their work is shown on Scull's, Philadelphia, 1762. (Cf. Source Material.)

For results of their survey compare the following maps: 1770, Scull's Pa.; 1776, Dunn's British Empire; 1777, Pownall's No. America; 1778, Hutchin's Va.; 1780, Ewing, Boundary; 1790, Brenyel, Bds. Md.

TANGENT POINT RESURVEY.

Several cadastral maps show the location of the Tangent Point and mile stones on the circular boundary, viz., Hopkins' Newcastle Co., Del., 1881. Kennedy's Chester Co. (Pa.), 1860. Bridgens' Chester Co., 1873. Asp's Delaware Co. (Pa.), 1848, and Hopkins' Delaware Co. (1876), Rea and Price's Newcastle Co. (Del.), 1849, show the circular line in detail.

Cf. under Source Material, 1850, Graham's very accurate and detailed map of the Tangent Point Survey.

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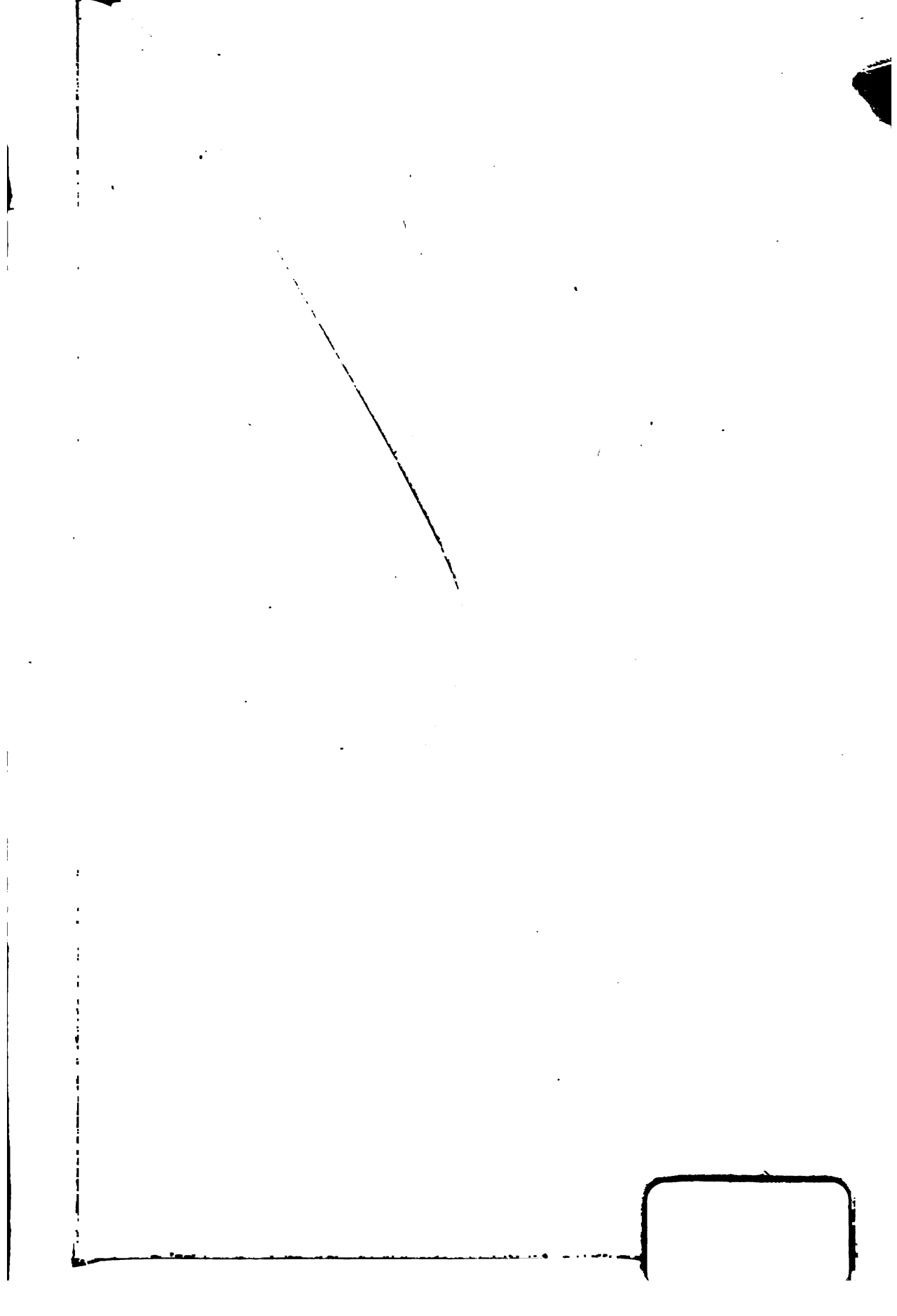

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